

MAKING APPROPRIATIONS FOR THE DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND FOR SUNDRY INDEPENDENT AGENCIES, BOARDS, COMMISSIONS, CORPORATIONS, AND OFFICES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2001, AND FOR OTHER PURPOSES

OCTOBER 18, 2000.—Ordered to be printed

Mr. WALSH, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 4635]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4635) “making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes”, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

Section 1. (a) The provisions of the following bills of the 106th Congress are hereby enacted into law:

(1) H.R. 5482, as introduced on October 18, 2000.

(2) H.R. 5483, as introduced on October 18, 2000.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

; And the Senate agree to the same.

JAMES T. WALSH,
TOM DELAY,
DAVE HOBSON,
JOE KNOLLENBERG,
RODNEY FRELINGHUYSEN,
ANNE M. NORTHUP,
JOHN E. SUNUNU,
VIRGIL GOODE, Jr.,
BILL YOUNG,
ALAN B. MOLLOHAN,
MARCY KAPTUR,
CARRIE P. MEEK,
DAVID E. PRICE,
BUD CRAMER,
DAVE OBEY,

Managers on the Part of the House.

CHRISTOPHER S. BOND,
CONRAD BURNS,
RICHARD C. SHELBY,
LARRY E. CRAIG,
KAY BAILEY HUTCHISON,
TED STEVENS,
PETE V. DOMENICI,
BARBARA A. MIKULSKI,
PATRICK LEAHY,
FRANK R. LAUTENBERG,
TOM HARKIN,
ROBERT C. BYRD,
HARRY REID,
DANIEL K. INOUE,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4635) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying report.

This conference agreement includes more than the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001. The conference agreement has been expanded to include the Energy and Water Development Appropriations Act, 2001, as well as the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001. Both of these Acts have been enacted into law by reference in this conference report; however, a copy of the referenced legislation has been included in this statement for convenience.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

The conference agreement would enact the provisions of H.R. 5483 as introduced on October 18, 2000. The text of that bill follows:

A BILL Making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development for the fiscal year ending September 30, 2001, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, miscellaneous investigations, and, when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, \$160,038,000, to remain available until expended: Provided, That in conducting the Southwest Valley Flood Damage Reduction Study, Albuquerque, New Mexico, the Secretary of the Army, acting through the Chief of Engineers, shall include an evaluation of flood damage reduction measures that would otherwise be excluded from the feasibility analysis based on policies regarding the frequency of flooding, the drainage areas, and the amount of runoff: Provided further, That the Secretary of the Army is directed to use \$750,000 of the funds appropriated herein to continue preconstruction engineering and design for the Murrieta Creek, California flood protection and environmental restoration project in accordance with Alternative 6, based on the Murrieta Creek feasibility report and environmental impact statement dated June 2000 at a total cost of \$90,866,000, with an estimated Federal cost of \$59,063,900 and an estimated non-Federal cost of \$31,803,100.

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participa-

SEC. 212. (a) *DEFINITIONS.*—For the purpose of this section, the term—

(1) “Secretary” means the Secretary of the Interior;

(2) “Sly Park Unit” means the Sly Park Dam and Reservoir, Camp Creek Diversion Dam and Tunnel, and conduits and canals as authorized under the American River Act of October 14, 1949 (63 Stat. 853), including those used to convey, treat, and store water delivered from Sly Park, as well as all recreation facilities thereto; and

(3) “District” means the El Dorado Irrigation District.

(b) *IN GENERAL.*—The Secretary shall, as soon as practicable after date of the enactment of this Act and in accordance with all applicable law, transfer all right, title, and interest in and to the Sly Park Unit to the District.

(c) *SALE PRICE.*—The Secretary is authorized to receive from the District \$2,000,000 to relieve payment obligations and extinguish the debt under contract number 14-06-200-949IR3, and \$9,500,000 to relieve payment obligations and extinguish all debts associated with contracts numbered 14-06-200-7734, as amended by contracts numbered 14-06-200-4282A and 14-06-200-8536A. Notwithstanding the preceding sentence, the District shall continue to make payments required by section 3407(c) of Public Law 102-575 through year 2029.

(d) *CREDIT REVENUE TO PROJECT REPAYMENT.*—Upon payment authorized under subsection (b), the amount paid shall be credited toward repayment of capital costs of the Central Valley Project in an amount equal to the associated undiscounted obligation.

(e) *FUTURE BENEFITS.*—Upon payment, the Sly Park Unit shall no longer be a Federal reclamation project or a unit of the Central Valley Project, and the District shall not be entitled to receive any further reclamation benefits.

(f) *LIABILITY.*—Except as otherwise provided by law, effective on the date of conveyance of the Sly Park Unit under this Act, the United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence based on its prior ownership or operation of the conveyed property.

(g) *COSTS.*—All costs, including interest charges, associated with the Project that have been included as a reimbursable cost of the Central Valley Project are declared to be nonreimbursable and nonreturnable.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for energy supply, and uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any

facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 17 passenger motor vehicles for replacement only, \$660,574,000 to remain available until expended: Provided, That, in addition, royalties received to compensate the Department of Energy for its participation in the First-Of-A-Kind-Engineering program shall be credited to this account to be available until September 30, 2002, for the purposes of Nuclear Energy, Science and Technology activities.

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction or expansion, \$277,812,000, to remain available until expended.

URANIUM FACILITIES MAINTENANCE AND REMEDIATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to maintain, decontaminate, decommission, and otherwise remediate uranium processing facilities, \$393,367,000, of which \$345,038,000 shall be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, all of which shall remain available until expended: Provided, That \$72,000,000 of amounts derived from the Fund for such expenses shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

SCIENCE

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not to exceed 58 passenger motor vehicles for replacement only, \$3,186,352,000, to remain available until expended.

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97-425, as amended, including the acquisition of real property or facility construction or expansion, \$191,074,000, to remain available until expended and to be derived from the Nuclear Waste Fund: Provided, That not to exceed \$2,500,000 may be provided to the State of Nevada solely for expenditures, other than salaries and expenses of State employees, to conduct scientific oversight responsibilities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97-425, as amended: Provided further, That \$6,000,000 shall be provided to affected units of local governments, as defined

in Public Law 97-425, to conduct appropriate activities pursuant to the Act: Provided further, That the distribution of the funds as determined by the units of local government shall be approved by the Department of Energy: Provided further, That the funds for the State of Nevada shall be made available solely to the Nevada Division of Emergency Management by direct payment and units of local government by direct payment: Provided further, That within 90 days of the completion of each Federal fiscal year, the Nevada Division of Emergency Management and the Governor of the State of Nevada and each local entity shall provide certification to the Department of Energy that all funds expended from such payments have been expended for activities authorized by Public Law 97-425 and this Act. Failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: Provided further, That none of the funds herein appropriated may be: (1) used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for lobbying activity as provided in 18 U.S.C. 1913; (2) used for litigation expenses; or (3) used to support multi-State efforts or other coalition building activities inconsistent with the restrictions contained in this Act: Provided further, That all proceeds and recoveries by the Secretary in carrying out activities authorized by the Nuclear Waste Policy Act of 1982 in Public Law 97-425, as amended, including but not limited to, any proceeds from the sale of assets, shall be available without further appropriation and shall remain available until expended.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed \$35,000), \$226,107,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total \$151,000,000 in fiscal year 2001 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95-238, notwithstanding the provisions of 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 2001 so as to result in a final fiscal year 2001 appropriation from the General Fund estimated at not more than \$75,107,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$31,500,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of passenger motor vehicles (not to exceed 12 for replacement only), \$5,015,186,000, to remain available until expended: Provided, That, \$130,000,000 shall be immediately available for Project 96-D-111, the National Ignition Facility at Lawrence Livermore National Laboratory: Provided further, That \$69,100,000 shall be available only upon a certification by the Administrator of the National Nuclear Security Administration to the Congress after March 31, 2001, that: (a) includes a recommendation on an appropriate path forward for the project; (b) certifies all established project and scientific milestones have been met on schedule and on cost; (c) certifies the first and second quarter project reviews in fiscal year 2001 determined the project to be on schedule and cost; (d) includes a study of requirements for and alternatives to a 192 beam ignition facility for maintaining the safety and reliability of the current nuclear weapons stockpile; (e) certifies an integrated cost-schedule earned-value project control system has been fully implemented; and (f) includes a 5-year budget plan for the stockpile stewardship program.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense, Defense Nuclear Nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$874,196,000, to remain available until expended: Provided, That not to exceed \$7,000 may be used for official reception and representation expenses for national security and non-proliferation (including transparency) activities in fiscal year 2001.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, con-

demnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, \$690,163,000, to remain available until expended.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator of the National Nuclear Security Administration, including official reception and representation expenses (not to exceed \$5,000), \$10,000,000, to remain available until expended.

OTHER DEFENSE RELATED ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental restoration and waste management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of 30 passenger motor vehicles for replacement only, \$4,974,476,000, to remain available until expended.

DEFENSE FACILITIES CLOSURE PROJECTS

For expenses of the Department of Energy to accelerate the closure of defense environmental management sites, including the purchase, construction and acquisition of plant and capital equipment and other necessary expenses, \$1,082,714,000, to remain available until expended.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

For Department of Energy expenses for privatization projects necessary for atomic energy defense environmental management activities authorized by the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), \$65,000,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense, other defense activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$585,755,000, to remain available until expended, of which \$17,000,000 shall be for the Department of Energy Employees Compensation Initiative upon enactment of authorization legislation into law.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97-425, as amended, including the acquisition of real property or facility construction or expansion, \$200,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93-454, are approved for the Nez Perce Tribe Resident Fish Substitution Program, the Cour D'Alene Tribe Trout Production facility, and for official reception and representation expenses in an amount not to exceed \$1,500.

During fiscal year 2001, no new direct loan obligations may be made. Section 511 of the Energy and Water Development Appropriations Act, 1997 (Public Law 104-206), is amended by striking the last sentence and inserting "This authority shall expire January 1, 2003."

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, \$3,900,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, amounts collected by the Southeastern Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures as follows: for fiscal year 2001, up to \$34,463,000; for fiscal year 2002, up to \$26,463,000; for fiscal year 2003, up to \$20,000,000; and for fiscal year 2004, up to \$15,000,000.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, and for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed \$1,500 in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, \$28,100,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, not to exceed \$4,200,000 in reimbursements, to remain available until expended: Provided, That amounts collected by the Southwestern Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until ex-

pended for the sole purpose of making purchase power and wheeling expenditures as follows: for fiscal year 2001, up to \$288,000; for fiscal year 2002, up to \$288,000; for fiscal year 2003, up to \$288,000; and for fiscal year 2004, up to \$288,000.

**CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE,
WESTERN AREA POWER ADMINISTRATION**

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed \$1,500, \$165,830,000, to remain available until expended, of which \$154,616,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That of the amount herein appropriated, \$5,950,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: Provided further, That amounts collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures as follows: for fiscal year 2001, up to \$65,224,000; for fiscal year 2002, up to \$33,500,000; for fiscal year 2003, up to \$30,000,000; and for fiscal year 2004, up to \$20,000,000.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, \$2,670,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 423 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses (not to exceed \$3,000), \$175,200,000, to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed \$175,200,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2001 shall be retained and used for necessary expenses in this account, and shall remain available until expended: Provided further, That the sum herein appropriated from the General Fund shall be reduced as revenues are received during fiscal year 2001 so as to result in a final fiscal year

2001 appropriation from the General Fund estimated at not more than \$0.

RESCISSIONS

DEFENSE NUCLEAR WASTE DISPOSAL

(RESCISSION)

Of the funds appropriated in Public Law 104-46 for interim storage of nuclear waste, \$75,000,000 are transferred to this heading and are hereby rescinded.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

(RESCISSION)

Of the funds appropriated in Public Law 106-60 and prior Energy and Water Development Acts for the Tank Waste Remediation System at Richland, Washington, \$97,000,000 of unexpended balances of prior appropriations are rescinded.

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

SEC. 301. (a) None of the funds appropriated by this Act may be used to award a management and operating contract unless such contract is awarded using competitive procedures or the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. The Secretary may not delegate the authority to grant such a waiver.

(b) At least 60 days before a contract award, amendment, or modification for which the Secretary intends to grant such a waiver, the Secretary shall submit to the Subcommittees on Energy and Water Development of the Committees on Appropriations of the House of Representatives and the Senate a report notifying the subcommittees of the waiver and setting forth the reasons for the waiver.

SEC. 302. None of the funds appropriated by this Act may be used to—

(1) develop or implement a workforce restructuring plan that covers employees of the Department of Energy; or

(2) provide enhanced severance payments or other benefits for employees of the Department of Energy,

under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2644; 42 U.S.C. 7274h).

SEC. 303. None of the funds appropriated by this Act may be used to augment the \$24,500,000 made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2644; 42 U.S.C. 7274h) unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees.

SEC. 304. None of the funds appropriated by this Act may be used to prepare or initiate Requests For Proposals (RFPs) for a program if the program has not been funded by Congress.

(TRANSFERS OF UNEXPENDED BALANCES)

SEC. 305. The unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this title. Balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 306. Of the funds in this Act provided to government-owned, contractor-operated laboratories, not to exceed 6 percent shall be available to be used for Laboratory Directed Research and Development.

SEC. 307. (a) Of the funds appropriated by this title to the Department of Energy, not more than \$185,000,000 shall be available for reimbursement of management and operating contractor travel expenses, of which \$10,000,000 is available for use by the Chief Financial Officer of the Department of Energy for emergency travel expenses.

(b) Funds appropriated by this title to the Department of Energy may be used to reimburse a Department of Energy management and operating contractor for travel costs of its employees under the contract only to the extent that the contractor applies to its employees the same rates and amounts as those that apply to Federal employees under subchapter I of chapter 57 of title 5, United States Code, or rates and amounts established by the Secretary of Energy. The Secretary of Energy may provide exceptions to the reimbursement requirements of this section as the Secretary considers appropriate.

(c) The limitation in subsection (a) shall not apply to reimbursement of management and operating contractor travel expenses within the Laboratory Directed Research and Development program.

SEC. 308. No funds are provided in this Act or any other Act for the Administrator of the Bonneville Power Administration to enter into any agreement to perform energy efficiency services outside the legally defined Bonneville service territory, with the exception of services provided internationally, including services provided on a reimbursable basis, unless the Administrator certifies that such services are not available from private sector businesses.

SEC. 309. None of the funds in this Act may be used to dispose of transuranic waste in the Waste Isolation Pilot Plant which contains concentrations of plutonium in excess of 20 percent by weight for the aggregate of any material category on the date of enactment of this Act, or is generated after such date. For the purposes of this section, the material categories of transuranic waste at the Rocky Flats Environmental Technology Site include: (1) ash residues; (2) salt residues; (3) wet residues; (4) direct repackaged residues; and (5) scrub alloy as referenced in the "Final Environmental Impact Statement on Management of Certain Plutonium Residues and Scrub Alloy Stored at the Rocky Flats Environmental Technology Site".

SEC. 310. The Administrator of the National Nuclear Security Administration may authorize the plant manager of a covered nu-

clear weapons production plant to engage in research, development, and demonstration activities with respect to the engineering and manufacturing capabilities at such plant in order to maintain and enhance such capabilities at such plant: Provided, That of the amount allocated to a covered nuclear weapons production plant each fiscal year from amounts available to the Department of Energy for such fiscal year for national security programs, not more than an amount equal to 2 percent of such amount may be used for these activities: Provided further, That for purposes of this section, the term "covered nuclear weapons production plant" means the following:

- (1) The Kansas City Plant, Kansas City, Missouri.
- (2) The Y-12 Plant, Oak Ridge, Tennessee.
- (3) The Pantex Plant, Amarillo, Texas.
- (4) The Savannah River Plant, South Carolina.

SEC. 311. Notwithstanding any other law, and without fiscal year limitation, each Federal Power Marketing Administration is authorized to engage in activities and solicit, undertake and review studies and proposals relating to the formation and operation of a regional transmission organization.

SEC. 312. Not more than \$10,000,000 of funds previously appropriated for interim waste storage activities for Defense Nuclear Waste Disposal in Public Law 104-46, the Energy and Water Development Appropriations Act, 1996, may be made available to the Department of Energy upon written certification by the Secretary of Energy to the House and Senate Committees on Appropriations that the Site Recommendation Report cannot be completed on time without additional funding.

SEC. 313. TERM OF OFFICE OF PERSON FIRST APPOINTED AS UNDER SECRETARY FOR NUCLEAR SECURITY OF THE DEPARTMENT OF ENERGY. (a) LENGTH OF TERM.—The term of office as Under Secretary for Nuclear Security of the Department of Energy of the first person appointed to that position shall be 3 years.

(b) EXCLUSIVE REASONS FOR REMOVAL.—The exclusive reasons for removal from office as Under Secretary for Nuclear Security of the person described in subsection (a) shall be inefficiency, neglect of duty, or malfeasance in office.

(c) POSITION DESCRIBED.—The position of Under Secretary for Nuclear Security of the Department of Energy referred to in this section is the position established by subsection (c) of section 202 of the Department of Energy Organization Act (42 U.S.C. 7132), as added by section 3202 of the National Nuclear Security Administration Act (title XXXII of Public Law 106-65; 113 Stat. 954).

SEC. 314. SCOPE OF AUTHORITY OF SECRETARY OF ENERGY TO MODIFY ORGANIZATION OF NATIONAL NUCLEAR SECURITY ADMINISTRATION. (a) SCOPE OF AUTHORITY.—Subtitle A of the National Nuclear Security Administration Act (title XXXII of Public Law 106-65; 113 Stat. 957; 50 U.S.C. 2401 et seq.) is amended by adding at the end the following new section:

"SEC. 3219. SCOPE OF AUTHORITY OF SECRETARY OF ENERGY TO MODIFY ORGANIZATION OF ADMINISTRATION.

"Notwithstanding the authority granted by section 643 of the Department of Energy Organization Act (42 U.S.C. 7253) or any other provision of law, the Secretary of Energy may not establish,

abolish, alter, consolidate, or discontinue any organizational unit or component, or transfer any function, of the Administration, except as authorized by subsection (b) or (c) of section 3291.”.

(b) **CONFORMING AMENDMENTS.**—Section 643 of the Department of Energy Organization Act (42 U.S.C. 7253) is amended—

(1) by striking “The Secretary” and inserting “(a) Subject to subsection (b), the Secretary”; and

(2) by adding at the end the following new subsection:

“(b) The authority of the Secretary to establish, abolish, alter, consolidate, or discontinue any organizational unit or component of the National Nuclear Security Administration is governed by the provisions of section 3219 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65).”.

SEC. 315. PROHIBITION ON PAY OF PERSONNEL ENGAGED IN CONCURRENT SERVICE OR DUTIES INSIDE AND OUTSIDE NATIONAL NUCLEAR SECURITY ADMINISTRATION.—Subtitle C of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 50 U.S.C. 2441 et seq.) is amended by adding at the end the following new section:

“SEC. 3245. PROHIBITION ON PAY OF PERSONNEL ENGAGED IN CONCURRENT SERVICE OR DUTIES INSIDE AND OUTSIDE ADMINISTRATION.

“(a) Except as otherwise expressly provided by statute, no funds authorized to be appropriated or otherwise made available for the Department of Energy may be obligated or utilized to pay the basic pay of an officer or employee of the Department of Energy who—

“(1) serves concurrently in a position in the Administration and a position outside the Administration; or

“(2) performs concurrently the duties of a position in the Administration and the duties of a position outside the Administration.

“(b) The provision of this section shall take effect 60 days after the date of enactment of this section.”.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, \$66,400,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100-203, section 5051, \$2,900,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

TITLE V

FISCAL YEAR 2001 EMERGENCY APPROPRIATIONS

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

CERRO GRANDE FIRE ACTIVITIES

For necessary expenses to remediate damaged Department of Energy facilities and for other expenses associated with the Cerro Grande fire, \$203,460,000, to remain available until expended, of which \$2,000,000 shall be made available to the United States Army Corps of Engineers to undertake immediate measures to provide erosion control and sediment protection to sewage lines, trails, and bridges in Pueblo and Los Alamos Canyons downstream of Diamond Drive in New Mexico: Provided, That the entire amount shall be available only to the extent an official budget request for \$203,460,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For necessary expenses to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, \$11,000,000, to remain available until expended, which shall be available only to the extent an official budget request for \$11,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

TITLE VI

GENERAL PROVISIONS

SEC. 601. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional

action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in section 1913 of title 18, United States Code.

SEC. 602. (a) **PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.**—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) **NOTICE REQUIREMENT.**—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) **PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.**—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a “Made in America” inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 603. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or non-reimbursable and collected until fully repaid pursuant to the “Cleanup Program—Alternative Repayment Plan” and the “SJVDP—Alternative Repayment Plan” described in the report entitled “Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995”, prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal Reclamation law.

SEC. 604. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan at the Third Conference of the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol.

SEC. 605. FUNDING OF THE COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT. Section 4(a) of the Act of August 9, 1950 (16 U.S.C. 777c(a)), is amended in the second sentence by striking "2000" and inserting "2009".

SEC. 606. REDESIGNATION OF INTERSTATE SANITATION COMMISSION AND DISTRICT. (a) *INTERSTATE SANITATION COMMISSION.*—

(1) *IN GENERAL.*—The district known as the "Interstate Sanitation Commission", established by article III of the Tri-State Compact described in the Resolution entitled, "A Joint Resolution granting the consent of Congress to the States of New York, New Jersey, and Connecticut to enter into a compact for the creation of the Interstate Sanitation District and the establishment of the Interstate Sanitation Commission", approved August 27, 1935 (49 Stat. 933), is redesignated as the "Interstate Environmental Commission".

(2) *REFERENCES.*—Any reference in a law, regulation, map, document, paper, or other record of the United States to the Interstate Sanitation Commission shall be deemed to be a reference to the Interstate Environmental Commission.

(b) *INTERSTATE SANITATION DISTRICT.*—

(1) *IN GENERAL.*—The district known as the "Interstate Sanitation District", established by article II of the Tri-State Compact described in the Resolution entitled, "A Joint Resolution granting the consent of Congress to the States of New York, New Jersey, and Connecticut to enter into a compact for the creation of the Interstate Sanitation District and the establishment of the Interstate Sanitation Commission", approved August 27, 1935 (49 Stat. 932), is redesignated as the "Interstate Environmental District".

(2) *REFERENCES.*—Any reference in a law, regulation, map, document, paper, or other record of the United States to the Interstate Sanitation District shall be deemed to be a reference to the Interstate Environmental District.

TITLE VII

DEPARTMENT OF THE TREASURY

BUREAU OF THE PUBLIC DEBT

GIFTS TO THE UNITED STATES FOR REDUCTION OF THE PUBLIC DEBT

For deposit of an additional amount for fiscal year 2001 into the account established under section 3113(d) of title 31, United States Code, to reduce the public debt, \$5,000,000,000.

TITLE VIII

NUCLEAR REGULATORY COMMISSION

Section 6101 of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214) is amended—

(1) in subsection (a)(3), by striking "September 30, 1999" and inserting "September 20, 2005"; and

(2) in subsection (c)—

(A) in paragraph (1), by inserting “or certificate holder” after “licensee”; and

(B) by striking paragraph (2) and inserting the following:

“(2) AGGREGATE AMOUNT OF CHARGES.—

“(A) IN GENERAL.—The aggregate amount of the annual charges collected from all licensees and certificate holders in a fiscal year shall equal an amount that approximates the percentages of the budget authority of the Commission for the fiscal year stated in subparagraph (B), less—

“(i) amounts collected under subsection (b) during the fiscal year; and

“(ii) amounts appropriated to the Commission from the Nuclear Waste Fund for the fiscal year.

“(B) PERCENTAGES.—The percentages referred to in subparagraph (A) are—

“(i) 98 percent for fiscal year 2001;

“(ii) 96 percent for fiscal year 2002;

“(iii) 94 percent for fiscal year 2003;

“(iv) 92 percent for fiscal year 2004; and

“(v) 90 percent for fiscal year 2005.”.

This Act may be cited as the “Energy and Water Development Appropriations Act, 2001”.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Following is explanatory language on H.R. 5483, as introduced on October 18, 2000.

The conferees on H.R. 4635 agree with the matter included in H.R. 5483 and enacted in this conference report by reference and the following description of it. This bill was developed through negotiations by subcommittee members of the Energy and Water Development Subcommittees of the House and Senate on the differences in H.R. 4733, a bill that was vetoed. That vetoed bill has been modified and is included in this conference report. References in the following description to the "conference agreement" mean the matter included in the introduced bill enacted by this conference report. References to the House bill mean the House passed version of H.R. 4733. References to the Senate bill mean the Senate passed version of H.R. 4733, not the Senate passed version of H.R. 4635, unless otherwise stated.

The language and allocations set forth in House Report 106-693 and Senate Report 106-395 should be complied with unless specifically addressed to the contrary in the conference report and statement of the managers. Report language included by the House which is not contradicted by the report of the Senate or the statement of the managers, and Senate report language which is not contradicted by the report of the House or the statement of the managers is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where both the House report and Senate report address a particular issue not specifically addressed in the conference report or joint statement of managers, the conferees have determined that the House and Senate reports are not inconsistent and are to be interpreted accordingly. In cases in which the House or Senate have directed the submission of a report, such report is to be submitted to both House and Senate Committees on Appropriations.

Senate amendment: The Senate deleted the entire House bill after the enacting clause and inserted the Senate bill. The conference agreement includes a revised bill.

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Corps of Engineers. Additional items of conference are discussed below.

TITLE III

DEPARTMENT OF ENERGY

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Department of Energy. Additional items of conference agreement are discussed below.

PROJECT MANAGEMENT

The conferees strongly support the progress being made by the Office of Engineering and Construction Management in bringing standardization, discipline, oversight, and increased professionalism to the Department's project management efforts. The project engineering and design (PED) process developed by the Department represents significant progress toward correcting serious management deficiencies that have historically plagued the Department's construction projects. The conferees believe that implementation of the PED process for all construction and environmental projects throughout the Department will provide the assurance necessary to eliminate the current requirement for an external independent review of all projects prior to releasing funds for construction. The conferees expect the continuation of the external independent review process as discussed in both the House and Senate reports.

PASSENGER MOTOR VEHICLES

The conferees have provided statutory limitations on the number of passenger motor vehicles that can be purchased by the Department of Energy in fiscal year 2001. These limitations are included each year, but the Department has been interpreting this limitation to mean that sport utility vehicles are not considered passenger motor vehicles and do not count against the appropriation ceiling. The conferees consider this to be disingenuous at best and a violation of the appropriations language at worst.

The conferees expect the Department to adhere strictly to the limits set for the purchase of motor vehicles. It is the intention of the conferees in prescribing these limitations that sport utility vehicles are to be considered passenger motor vehicles and, therefore, subject to the limitation. Further, the Department is to provide a full and complete accounting of the current motor vehicle inventory at each location. The Department should work with the Committees on Appropriations to ensure that the report provides the necessary information.

CONTRACTOR TRAVEL

The conference agreement includes a statutory provision limiting reimbursement of Department of Energy management and operating contractors for travel expenses to not more than \$185,000,000. This limitation consists of \$175,000,000 for contractor travel and a reserve fund of \$10,000,000 to be administered by the Department's Chief Financial Officer and released for emergency travel requirements.

The Department had requested \$200,000,000 for contractor travel. The reduction in fiscal year 2001 is not to be prorated, but should be applied to those organizations that appear to have the most questionable travel practices. This is not meant to restrict trips between laboratories to coordinate on program issues.

INDEPENDENT CENTERS

The Department is to identify all independent centers at each DOE laboratory and facility in the fiscal year 2002 budget submission. These centers are to be funded directly in program accounts, rather than overhead, with the exception of those centers which clearly benefit more than one program at a laboratory or facility. The Department is directed to provide a list of any centers that are funded through overhead accounts with the fiscal year 2002 budget submission.

REPROGRAMMINGS

The conference agreement does not provide the Department of Energy with any internal reprogramming flexibility in fiscal year 2001 unless specifically identified by the House, Senate, or conference agreement. Any reallocation of new or prior year budget authority or prior year deobligations must be submitted to the House and Senate Committees on Appropriations in advance, in writing, and may not be implemented prior to approval by the Committees.

LABORATORY DIRECTED RESEARCH AND DEVELOPMENT

The conference agreement includes an allowance of six percent for the laboratory directed research and development (LDRD) program and two percent for nuclear weapons production plants. Travel costs for LDRD are exempt from the contractor travel ceiling. The conferees direct the Department's Chief Financial Officer to develop and execute a financial accounting report of LDRD expenditures by laboratory and weapons production plant. This report, due to the House and Senate Committees on Appropriations by December 31, 2000, and each year thereafter, should provide costs by personnel salaries, equipment, and travel. The Department should work with the Committees on the specific information to be included in the report.

SAFEGUARDS AND SECURITY BUDGET AMENDMENT

The conferees have chosen to reflect the amounts requested for safeguards and security funding in the manner proposed in the budget amendment submitted to Congress by the Department. Adjustments have been made in each account to reflect the consolidation of safeguards and security costs into a few major accounts and the transfer of these costs from overhead accounts to specific program line items. However, the conferees do not concur with the amendment to the extent its purpose is to reorganize all safeguards and security functions at the Department under the control and direction of the Office of Security and Emergency Operations, or any other entity not part of line management. The conferees agree that the direct responsibility for safeguards and security must be united and integrated with the responsibility of line operations.

ADDITIONAL DEPARTMENT OF ENERGY REQUIREMENTS

The conferees agree with the House report language on augmenting Federal staff, overhead costs reviews and reprogramming guidelines.

GENERAL REDUCTIONS NECESSARY TO ACCOMMODATE SPECIFIC PROGRAM DIRECTIONS

The Department is directed to provide a report to the House and Senate Committees on Appropriations by January 15, 2001, on the actual application of any general reductions of funding or use of prior year balances contained in the conference agreement. In general, such reductions should not be applied disproportionately against any program, project, or activity. However, the conferees are aware there may be instances where proportional reductions would adversely impact critical programs and other allocations may be necessary. The report should also include the distribution of the safeguards and security funding adjustments.

ENERGY SUPPLY

The conference agreement provides \$660,574,000 for Energy Supply instead of \$616,482,000 as proposed by the House and \$691,520,000 as proposed by the Senate. The conference agreement includes the House proposal to make funds available until expended rather than the Senate proposal to limit availability to two years. The conference agreement does not include the Senate bill language transferring funds from the United States Enrichment Corporation or earmarking funds for a variety of projects to demonstrate alternative energy technologies.

RENEWABLE ENERGY RESOURCES

The conference agreement provides \$422,085,000 instead of \$390,519,000 as proposed by the House and \$444,117,000 as proposed by the Senate for renewable energy resources.

Biomass/biofuels.—The conference agreement includes \$112,900,000 for biomass/biofuels. The conferees have provided \$26,740,000 for research to be managed by the Office of Science, the same as the budget request. The conference agreement includes \$40,000,000 for power systems and \$46,160,000 for the transportation program. The conference agreement does not include prescriptive language specifying funding allocations as contained in the House and Senate reports.

The conferees encourage the Department to continue the integrated approach to bioenergy activities and recommend the use of up to \$18,000,000 within available funds for the bioenergy initiative. Funding for this initiative may be derived from both the power and transportation programs.

In the power program, the conference agreement provides \$2,000,000 for the Iowa switch grass project which is a multi-year project; \$4,000,000 for the McNeill biomass plant in Burlington, Vermont; \$395,000 for the final Federal contribution to the Vermont agriculture methane project; \$500,000 for the bioreactor landfill project to be administered by the Environmental Education and Research Foundation and Michigan State University;

\$1,000,000 for methane energy and agriculture development (MEAD) in Tillamook Bay, Oregon; and \$1,000,000 for the Mount Wachusett College biomass conversion project in Massachusetts.

The Department is to accelerate the large-scale biomass demonstration at the Winona, Mississippi, site.

The conference agreement provides \$4,000,000 in power systems to support a project to demonstrate a commercial facility employing the thermo-depolymerization technology at a site adjacent to the Nevada Test Site. The project shall proceed on a cost-shared basis where Federal funding shall be matched in at least an equal amount with non-Federal funding.

In the transportation program, the conference agreement provides \$1,000,000 for continuation of biomass research at the Energy and Environmental Research Center on the integration of biomass with fossil fuels for advanced power systems transportation fuels; \$600,000 for the University of Louisville to work on the design of bioreactors for production of fuels and chemicals for ethanol production; and \$2,000,000 for the design and construction of a demonstration facility for regional biomass ethanol manufacturing in southeast Alaska.

The conference agreement also includes \$2,000,000 for the Michigan Biotechnology Institute to be derived equally from power and transportation systems.

Funding allocated by the Department for the regional biomass program and feedstock production should be derived equally from the power and transportation programs.

Geothermal.—The conference agreement includes \$27,000,000 for geothermal activities. The conference agreement does not include language specifying funding allocations as contained in the Senate report. The conferees have provided \$2,000,000 to complete the Lake County Basin 2000 Geothermal project in Lake County, California.

Hydrogen.—The conference agreement includes \$29,970,000 for hydrogen activities, including \$350,000 for the Montana Trade Port Authority in Billings, Montana; \$250,000 for the gasification of Iowa switch grass; and \$800,000 for the ITM Syngas project.

The conferees have also provided \$2,000,000 for the multi-year demonstration of an underground mining locomotive and an earth loader powered by hydrogen at existing facilities within the State of Nevada. The demonstration is subject to a private sector industry cost-share of not less than an equal amount, and a portion of these funds may also be used to acquire a prototype hydrogen fueling appliance to provide on-site hydrogen in the demonstration.

Hydropower.—The conference agreement includes \$5,000,000 for hydropower. The conferees are aware that the Department is funding research that is supposed to be applicable to the needs of the large dams in the northwest United States. The Department is concerned that the Federal power marketing administrations are not involved in developing this research program. The Department is directed to provide a report coordinated with the power marketing administrations that indicates how this hydropower research is applicable to the current and future needs of the power marketing administrations and the schedule by which this research will provide useable products.

Solar Energy.—The conference agreement includes \$110,632,000 for solar energy programs. The conference agreement does not include language specifying funding allocations as contained in the House and Senate reports.

The conference agreement provides \$13,800,000 for concentrating solar power, including \$1,000,000 to initiate planning of a one MW dish engine field validation power project at the University of Nevada-Las Vegas.

The conference agreement includes \$78,622,000 for photovoltaic energy systems, including up to \$3,000,000 for the million solar roofs initiative. The conferees have provided \$1,500,000 for the Southeast and Southwest photovoltaic experiment stations.

The conference agreement includes \$3,950,000 for solar building technology research.

Wind.—The conference agreement includes \$40,283,000 for wind programs. The conference agreement does not include prescriptive language specifying allocations as included in the Senate report. The conferees have provided \$1,000,000 for the Kotzebue wind project. Of the funding for wind energy systems, not less than \$5,000,000 shall be made available for new and ongoing small wind programs, including not less than \$2,000,000 for the small wind turbine development project. From within available funds, \$100,000 has been provided for a wind turbine and for educational purposes at the Turtle Mountain Community College in North Dakota.

Electric energy systems and storage.—The conference agreement includes \$52,000,000 for electric energy systems and storage. The conferees urge the Department to support the university, industry-based partnership at the University of California-Irvine Advanced Power and Energy Program to conduct energy and information related technology demonstrations to accelerate the development and deployment of cost-efficient technologies benefiting all energy consumers affected by a deregulated energy industry.

The conference agreement includes \$6,000,000 to accelerate the development and application of high temperature superconductor technologies through joint efforts among DOE laboratories, universities, and industry to be led by Los Alamos and Oak Ridge National Laboratories.

The conference agreement includes \$500,000 for completion of the distributed power demonstration project begun last year at the Nevada Test Site.

Renewable Support and Implementation.—The conference agreement includes \$21,600,000 for renewable support and implementation programs.

The Federal Energy Management Program should report to the Committees on Appropriations by December 31, 2001, on the accomplishments of the Departmental energy management program with the fiscal year 2001 appropriations including the number of energy efficiency projects funded, the number of energy savings performance contracts supported, and the total estimated savings.

From within available funds, the conference agreement provides \$1,000,000 for the Office of Arctic Energy as proposed by the Senate.

The conference agreement includes \$5,000,000 for the international renewable energy program. Of this amount, \$1,000,000 is to be provided to International Utility Efficiency Partnerships, Inc. (IUEP). The IUEP shall competitively award all projects, continuing its leadership role in reducing carbon dioxide emissions using voluntary market-based mechanisms.

The conference agreement includes \$4,000,000 for the renewable energy production incentive program.

The conference agreement includes \$6,600,000 for renewable Indian energy resources projects as proposed by the Senate.

The conference agreement includes \$4,000,000 for renewable program support, of which \$1,000,000 is for an Indoor Air Quality and Energy Conservation Research Planning grant to study and develop technologies to improve air quality within homes and buildings.

Program direction.—The conference agreement includes \$18,700,000 for program direction. The conferees have provided additional funding to support implementation of the management reforms identified in the recent National Academy of Public Administration review.

NUCLEAR ENERGY

The conference agreement provides \$259,925,000 for nuclear energy activities instead of \$231,815,000 as proposed by the House and \$262,084,000 as proposed by the Senate.

Advanced radioisotope power systems.—The conference agreement includes \$32,200,000, an increase over the budget request of \$30,864,000. The additional funds are to maintain the infrastructure to support future national security needs and NASA missions.

Isotope support.—The conference agreement includes a total program level of \$27,215,000 for the isotope program. This amount is reduced by offsetting collections of \$8,000,000 to be received in fiscal year 2001, resulting in a net appropriation of \$19,215,000. The conferees understand that the total estimated cost of Project 99-E-201, the isotope production facility at Los Alamos National Laboratory, has increased significantly due to factors outside the control of the Office of Nuclear Energy and have included \$2,500,000 to partially cover these additional costs.

University reactor fuel assistance and support.—The conference agreement includes \$12,000,000, the same as the budget request.

Research and development.—The conference agreement provides \$47,500,000 for nuclear energy research and development activities.

The conference agreement includes \$5,000,000, the same as the budget request, for nuclear energy plant optimization. The conferees direct the Department to ensure that projects are funded jointly with non-Federal partners and that total non-Federal contributions are equal to or in excess of total Department contributions to projects funded in this program.

The conferees have provided \$35,000,000 for the nuclear energy research initiative.

The conference agreement includes \$7,500,000 for nuclear energy technologies. The Senate had included these activities in the nuclear energy research initiative program. Funding of \$4,500,000

is provided to develop a road map for the commercial deployment of a next generation power reactor; \$1,000,000 for the preparation of a detailed assessment that analyzes and describes the changes needed to existing advanced light water reactor (ALWR) designs; \$1,000,000 for planning and implementation of initiatives in support of an advanced gas reactor; and \$1,000,000 to undertake a study to determine the feasibility of deployment of small modular reactors.

Infrastructure.—The conference agreement includes the budget request of \$39,150,000 for ANL–West Operations, \$9,000,000 for test reactor landlord activities, and \$44,010,000 for the Fast Flux Test Facility.

Nuclear facilities management.—The conference agreement adopts the budget structure proposed by the House and provides \$34,850,000 for nuclear facilities management activities, the same as the budget request.

The conference agreement provides the full amount of the budget request to complete draining and processing EBR–II primary sodium. The conferees direct the Department to notify the House and Senate Committees on Appropriations immediately if any issues arise that would delay the Department's scheduled date to complete these activities.

Uranium programs.—The conference agreement transfers the budget request of \$53,400,000 for uranium programs to a new appropriation account, Uranium Facilities Maintenance and Remediation.

Program direction.—The conference agreement includes \$22,000,000 for program direction. This reduction reflects the transfer of 25 employees in the field and up to 5 employees at Headquarters who managed the uranium programs to the Office of Environmental Management.

ENVIRONMENT, SAFETY AND HEALTH

The conference agreement includes \$35,998,000 for non-defense environment, safety and health activities. The conferees direct that the reduction from the budget request be directed to eliminate lower-priority activities currently funded in this program. The conference agreement includes \$1,000,000 to be transferred to the Occupational Safety and Health Administration as proposed by the House. The conferees expect the Department to budget for this activity in fiscal year 2002.

TECHNICAL INFORMATION MANAGEMENT PROGRAM

The conference agreement includes \$8,600,000 as proposed by the Senate.

FUNDING ADJUSTMENTS

The conference agreement also includes \$47,100,000, the same amount as the budget request, for research performed by the Office of Science related to renewable energy technologies, and \$2,352,000 proposed as an offset from nuclear energy royalties to be received in fiscal year 2001. A reduction of \$16,582,000 reflects the transfer

of safeguards and security costs in accordance with the Department's amended budget request.

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

The conference agreement provides \$277,812,000 for Non-Defense Environmental Management instead of \$281,001,000 as proposed by the House and \$309,141,000 as proposed by the Senate. Funding of \$5,000,000 is provided to expedite environmental clean-up at the Brookhaven National Laboratory. No funding has been provided for the Atlas site in Moab, Utah, which has not been authorized. The recommendation transfers \$1,900,000 from the post-2006 program to the site/project completion program to maintain the schedule for completing cleanup of three Oakland geographic sites.

URANIUM FACILITIES MAINTENANCE AND REMEDIATION

The conference agreement provides \$393,367,000 for uranium activities instead of \$301,400,000 as proposed by the House and \$297,778,000 as proposed by the Senate, and adopts the budget structure proposed by the House.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

The conference agreement includes \$345,038,000 for the uranium enrichment decontamination and decommissioning fund. This includes \$273,038,000 for cleanup activities and \$72,000,000 for uranium and thorium reimbursements. The conferees recognize there are eligible uranium and thorium licensee claims under Title X of the Energy Policy Act that have been approved for reimbursement, but not yet paid in full. Additional funding of \$42,000,000 over the budget request of \$30,000,000 has been provided for these payments.

URANIUM PROGRAMS

The conference agreement provides \$62,400,000 for uranium activities, an increase of \$9,000,000 over the budget request of \$53,400,000. Additional funding of \$9,000,000, as proposed by the Senate, has been provided for activities associated with the depleted uranium hexafluoride (DUF6) management and conversion project.

DOMESTIC URANIUM INDUSTRY

The conferees are very concerned about the front end of the U.S. nuclear fuel cycle. The conferees direct the Secretary to work with the President and other Federal agencies to ensure that current laws with respect to the privatization of USEC and with respect to the implementation of the Russian HEU agreement and their impact on United States domestic capabilities are carried out. In addition, the Secretary is instructed to take timely measures to ensure that conversion capability is not lost in the United States. The conferees expect that any such measures will not interfere with the implementation of the Russian HEU agreement and the important national security goals it is accomplishing.

The conferees direct the Secretary to undertake an evaluation and make specific recommendations on the various options to sustain a domestic uranium enrichment industry in the short- and long-term to be delivered to Congress no later than December 31, 2000. The Secretary's evaluation shall include recommendations for dealing with the Portsmouth facility and its role in maintaining a secure and sufficient domestic supply of enriched uranium. Further, this investigation should consider the technological viability and commercial feasibility of all proposed enrichment technologies including various centrifuge options, AVLIS and SILEX technologies, or other emerging technology. The evaluation should also consider the role of the Federal government in developing and supporting the implementation and regulation of these new technologies in order to secure a reliable and competitive source of domestic nuclear fuel.

FUNDING ADJUSTMENT

A reduction of \$14,071,000 reflects the transfer of safeguards and security costs in accordance with the Department's amended budget request.

SCIENCE

The conference agreement provides \$3,186,352,000 instead of \$2,830,915,000 as proposed by the House and \$2,870,112,000 as proposed by the Senate. The conference agreement does not include the Senate language earmarking funds for various purposes and limiting funding for the small business innovation research program.

High energy physics.—The conference agreement provides \$726,130,000 for high energy physics and reflects the adjustments recommended in the Science budget amendment submitted by the Department. Funding of \$230,931,000 has been provided for facility operations at the Fermi National Accelerator Laboratory.

Nuclear physics.—The conference agreement provides \$369,890,000 for nuclear physics, the same as the original budget request.

Biological and environmental research.—The conference agreement includes \$500,260,000 for biological and environmental research. The conferees have included \$20,135,000 for the low-dose effects program, an increase of \$8,453,000 over the budget request. The conference agreement provides \$9,000,000 for molecular nuclear medicine.

The conferees have provided the budget request of \$2,500,000 for the Laboratory for Comparative and Functional Genomics at Oak Ridge National Laboratory.

The conference agreement includes \$2,000,000 for the Discovery Science Center in Orange County, California; \$1,500,000 for the Children's Hospital emergency power plant in San Diego; \$1,000,000 for the Center for Science and Education at the University of San Diego; \$500,000 for the bone marrow transplant program at Children's Hospital Medical Center Foundation in Oakland, California; \$1,000,000 for the North Shore Long Island Jewish Health System in New York; \$1,700,000 for the Museum of Science and Industry in Chicago; \$2,000,000 for the Livingston Dig-

ital Millenium Center to be located at Tulane University; and \$1,000,000 for the Center for Nuclear Magnetic Resonance at the University of Alabama-Birmingham.

The conference agreement includes \$3,000,000 for the Nanotechnology Engineering Center at the University of Notre Dame in South Bend, Indiana; \$2,000,000 for the School of Public Health at the University of South Carolina for modernization upgrades; \$2,000,000 for the National Center for Musculoskeletal Research at the Hospital for Special Surgery in New York; and \$1,300,000 for the Western States Visibility Assessment Program at New Mexico Tech to trace emissions resulting from energy consumption.

The conference agreement includes \$1,000,000 for high temperature super conducting research and development at Boston College; \$2,500,000 for the positron emission tomography facility at West Virginia University; \$1,000,000 for the advanced medical imaging center at Hampton University; \$500,000 for the Natural Energy Laboratory in Hawaii; \$800,000 for the Child Health Institute of New Brunswick, New Jersey; and \$900,000 for the linear accelerator for University Medical Center of Southern Nevada.

The conference agreement also includes \$200,000 for the study of biological effects of low level radioactive activity at University of Nevada-Las Vegas; \$1,000,000 for the Medical University of South Carolina Oncology Center; \$11,000,000 for development of technologies using advanced functional brain imaging methodologies, including magnetoencephalography, for conduct of basic research in mental illness and neurological disorders, and for construction; \$2,000,000 for a science and technology facility at New Mexico Highlands University; \$2,000,000 for the University of Missouri-Columbia to expand the federal investment in the university's nuclear medicine and cancer research capital program; and \$2,000,000 for the Inland Northwest Natural Resources Research Center at Gonzaga University.

Basic energy sciences.—The conference agreement includes \$1,013,370,000 for basic energy sciences. The conferees have included \$8,000,000 for the Experimental Program to Stimulate Competitive Research (EPSCoR).

Spallation Neutron Source.—The recommendation includes \$278,600,000, including \$259,500,000 for construction and \$19,100,000 for related research and development, the same as the amended budget request, for the Spallation Neutron Source.

Advanced scientific computing research.—The conference agreement includes \$170,000,000 for advanced scientific computing research.

Energy research analyses.—The conference agreement includes \$1,000,000 for energy research analyses, the same amount provided by the House and the Senate.

Multiprogram energy labs—facility support.—The conference agreement includes \$33,930,000 for multi-program energy labs-facility support.

Fusion energy sciences.—The conference agreement includes \$255,000,000, as proposed by the House, for fusion energy sciences.

Safeguards and security.—Consistent with the Department's amended budget request for safeguards and security, the con-

ference agreement includes \$49,818,000 for safeguards and security activities at laboratories and facilities managed by the Office of Science. This is offset by a reduction of \$38,244,000 that is to be allocated among the various programs which budgeted for safeguards and security costs in their overhead accounts.

Program Direction.—The conference agreement includes \$139,245,000 for program direction. Funding of \$4,500,000 has been provided for science education.

Funding adjustments.—A reduction of \$38,244,000 reflects the allocation of safeguards and security costs in accordance with the Department's amended budget request. A general reduction of \$34,047,000 has been applied to this account.

NUCLEAR WASTE DISPOSAL

The conference agreement provides \$191,074,000 for Nuclear Waste Disposal instead of \$213,000,000 as proposed by the House and \$59,175,000 as proposed by the Senate. Combined with the appropriation of \$200,000,000 to the Defense Nuclear Waste Disposal account, a total of \$391,074,000 will be available for program activities in fiscal year 2001. The funding level reflects a reduction of \$39,500,000 from the budget request and the transfer of \$6,926,000 in safeguards and security costs in accordance with the Department's amended budget request.

In addition, the conferees recommend that \$10,000,000 of funds previously appropriated for interim waste storage activities in Public Law 104-46 may be made available upon written certification by the Secretary of Energy to the House and Senate Committees on Appropriations that the site recommendation report cannot be completed on time without additional funding.

Site recommendation report.—The conferees reiterate the expectation by Congress that the Department submit its site recommendation report in July 2001 according to the current schedule. While the conference agreement does not provide the full funding requested by the Department, the conferees expect the Department to promptly submit a reprogramming request if it becomes apparent that limited funding will delay the site recommendation report beyond July 2001.

The conferees further expect that, if the site is approved, the Department will continue to analyze further design improvements and enhancements between that time and the submittal of a license application to the Nuclear Regulatory Commission.

State oversight funding.—The conference agreement includes \$2,500,000 for the State of Nevada. This funding will be provided to the Department of Energy which will reimburse the State for actual expenditures on appropriate scientific oversight responsibilities conducted pursuant to the Nuclear Waste Policy Act of 1982. These funds are to be provided to the Nevada Division of Emergency Management for program management and execution and may not be used for payment of salaries and expenses for State employees.

Local oversight funding.—The conference agreement includes \$6,000,000 for affected units of local government. The conferees expect the Department to provide the full amount of funding allocated to the State and local counties for oversight activities. Any

proposed reduction to the amounts identified by Congress for State and local oversight will require prior approval of a reprogramming request by the Committees on Appropriations.

Limitation on the use of funds to promote or advertise public tours.—The conferees direct that none of the funds be used to promote or advertise any public tour of the Yucca Mountain facility, other than public notice that is required by statute or regulation.

DEPARTMENTAL ADMINISTRATION

The conference agreement provides \$226,107,000 for Departmental Administration instead of \$153,527,000 as proposed by the House and \$210,128,000 as proposed by the Senate. Additional funding adjustments include a transfer of \$25,000,000 from Other Defense Activities; the use of \$8,000,000 of prior year balances; and a reduction of \$18,000 for safeguards and security costs. Revenues of \$151,000,000 are estimated to be received in fiscal year 2001, resulting in a net appropriation of \$75,107,000.

The conference agreement provides \$5,000,000 for the Office of the Secretary as proposed by the House. All funds for the newly established National Nuclear Security Administration have been provided in the defense portion of this bill.

The conference agreement provides \$32,148,000 for the Chief Financial Officer, an increase of \$1,400,000 over the budget request of \$30,748,000. These additional funds are to support the DOE project management career development program.

Working capital fund.—The conference agreement does not include statutory language proposed by the House prohibiting funding Federal employee salaries and expenses in the working capital fund. However, any proposal by the Department to transfer salaries and expenses to the working capital fund will require prior approval by the House and Senate Committees on Appropriations.

Cost of work for others.—The conference agreement includes a one-time increase of \$40,000,000 in the cost of work for others program to accommodate safeguards and security requirements. It is anticipated that this amount will be offset by an estimated \$40,000,000 in revenues derived from non-Department of Energy customers for the purpose of funding safeguards and security activities throughout the Department. In fiscal year 2002 and beyond, the conferees expect the Department to submit a safeguards and security budget that includes amounts obtained previously from other agencies or customers.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides \$31,500,000 for the Inspector General as proposed by the House instead of \$28,988,000 as proposed by the Senate. The conference agreement does not include statutory language proposed by the House requiring a study of the economic basis of recent gasoline price levels.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

The conferees support the Administrator's efforts to establish and fill critical positions within the National Nuclear Security Administration (NNSA). The conferees agree that the Administrator's authority should not be impacted by any action that would otherwise limit or preclude hiring which may occur as a result of a change of administrations, and that the Administrator should to the maximum extent possible under applicable statutes proceed with effecting appointments.

WEAPONS ACTIVITIES

The conference agreement provides \$5,015,186,000 for Weapons Activities instead of \$4,579,684,000 as proposed by the House and \$4,883,289,000 as proposed by the Senate. Statutory language proposed by the House limiting the funds availability to two years has not been included by the conferees.

Reprogramming.—The conference agreement provides limited reprogramming authority of \$5,000,000 or 5 percent, whichever is less, within the Weapons Activities account without submission of a reprogramming to be approved in advance by the House and Senate Committees on Appropriations. No individual program account may be increased or decreased by more than this amount during the fiscal year using this reprogramming authority. This should provide the needed flexibility to manage this account.

Congressional notification within 30 days of the use of this reprogramming authority is required. Transfers which would result in increases or decreases in excess of \$5,000,000 or 5 percent to an individual program account during the fiscal year require prior notification and approval from the House and Senate Committees on Appropriations.

The Department is directed to submit a report to the Committees on Appropriations by January 15, 2001, that reflects the allocation of the safeguards and security reduction, the use of prior year balances and the application of general reductions, and any proposed accounting adjustments.

Directed stockpile work.—In stockpile research and development, additional funding of \$19,000,000 has been provided for life extension development activities and to support additional sub-critical experiments. Additional funding of \$10,000,000 has been provided to support activities required to maintain the delivery date for a certified pit. No additional funds are provided for cooperative research on hard and deeply buried targets.

Funding for stockpile maintenance has been increased by \$22,000,000 as follows: \$13,000,000 for life extension operations and development and engineering activities; \$5,000,000 for the Kansas City Plant; and \$4,000,000 for the Y-12 Plant.

Funding for stockpile evaluation has been increased by \$23,000,000 as follows: \$6,000,000 for the elimination of the testing backlog and joint test equipment procurements; \$8,000,000 for the Pantex Plant; \$6,000,000 for the Y-12 Plant; and \$3,000,000 for the Savannah River Plant.

Campaigns.—The conference agreement provides \$41,400,000 for pit certification, the same as the budget request. Additional funding of \$10,000,000 has been provided for dynamic materials properties to support the maintenance of core scientific capabilities, Liner Demonstration Experiments, and other various multi-campaign supporting physics demonstrations for the Atlas pulsed power facility at the Los Alamos National Laboratory and the Nevada Test Site.

An additional \$15,000,000 has been provided to support research, development and pre-conceptual design studies for an advanced hydrodynamic test facility using protons.

Additional funding of \$17,000,000 has been provided for enhanced surveillance activities as follows: \$3,000,000 for the Kansas City Plant; \$7,000,000 for the Pantex Plant; \$4,000,000 for the Y-12 Plant; \$1,000,000 for the Savannah River Plant; and \$2,000,000 to support accelerated deployment of test and diagnostic equipment.

Funding for pit manufacturing readiness is increased by \$17,000,000. An increase of \$2,000,000 is provided to initiate conceptual design work on a pit manufacturing facility. Additional funding of \$15,000,000 is provided to support the pit production program which is now behind schedule and over cost. The conferees strongly support the Senate language regarding the Department's lack of attention to this critical program and the requirement for a progress report by December 1, 2000, and each quarter thereafter.

An additional \$5,000,000 has been provided to the Y-12 Plant for secondary readiness.

Inertial Fusion.—The conference agreement includes \$449,600,000 for the inertial fusion program in the budget structure proposed by the House.

Additional funding of \$25,000,000 as proposed by the House has been provided to further development of high average power lasers. The conference agreement includes the budget request of \$9,750,000 for the Naval Research Laboratory and the budget request of \$32,150,000 for the University of Rochester. The conference agreement reflects the transfer of \$40,000,000 from National Ignition Facility (NIF) operations funding to the NIF construction project.

The conference agreement provides \$2,500,000 from within available funds to transfer the Petawatt Laser from Lawrence Livermore National Laboratory to the University of Nevada-Reno, as proposed by the Senate.

National Ignition Facility.—The conference agreement provides \$199,100,000 for continued construction of the National Ignition Facility (NIF). The conferees have included a directed reduction of \$25,000,000 in the Weapons Activities account which is to be applied to programs under the direction of the Lawrence Livermore National Laboratory.

The conferees have included statutory language providing that only \$130,000,000 shall be made available for NIF at the beginning of fiscal year 2001 and the remaining \$69,100,000 shall be available only upon a certification after March 31, 2001, by the Admin-

istrator of the National Nuclear Security Administration that several requirements have been met. These requirements include:

A. A recommendation on an appropriate path forward for the project based on a detailed review of alternative construction options that would (1) focus on first achieving operation of a 48 or 96 beam laser; (2) allow for the full demonstration of a such a system in support of the stockpile stewardship program before proceeding with construction and operation of a larger laser complex; and (3) include a program and funding plan for the possible future upgrade to a full NIF configuration. The recommendation should include identification of available "off-ramps" and decision points where the project could be scaled to a smaller system.

B. Certification that project and scientific milestones as established in the revised construction project data sheet for the fourth quarter of fiscal year 2000 and the first two quarters of fiscal year 2001 have been met on schedule and on cost.

C. Certification that the first and second quarter project reviews in fiscal year 2001 determined the project to be on schedule and cost and have provided further validation to the proposed path forward.

D. Completion of a study that includes conclusions as to whether the full-scale NIF is required in order to maintain the safety and reliability of the current nuclear weapons stockpile, and whether alternatives to the NIF could achieve the objective of maintaining the safety and reliability of the current nuclear weapons stockpile.

E. Certification that the NIF project has implemented an integrated cost-schedule earned-value project control system by March 1, 2001.

F. A five-year budget plan for the stockpile stewardship program that fully describes how the NNSA intends to pay for NIF over the out years and what the potential for other impacts on the stockpile stewardship program will be.

The conferees remain concerned about the Department's proposed budget increase and schedule delay for the NIF at the Lawrence Livermore National Laboratory (LLNL). The conferees believe that previously the Department of Energy, and most recently the National Nuclear Security Administration (NNSA), may have failed to examine adequately options for NIF that have fewer than the full 192 beams. For example, a preferred course for NIF may be to complete 48 or 96 beams as soon as possible (although block procurement of infrastructure and glass may be considered), bring the reduced NIF into operation, perform the necessary scientific and technical tests to evaluate whether a full NIF will work and its impact on stockpile stewardship, and then develop a path forward for NIF that balances its scientific importance within the overall needs of the stockpile stewardship program. To move on this path in fiscal year 2001, the conferees recommend that \$199,100,000 be appropriated for NIF as follows: \$74,100,000 as originally proposed for Project 96-D-111, \$40,000,000 from NIF operations funding within the budget request for LLNL, \$25,000,000 to be identified within the budget request at LLNL, plus an additional \$60,000,000 in new appropriations.

Furthermore, the conferees direct the Administration to prepare a budget request for fiscal year 2002 that fully reflects a balanced set of programs and investments within the stockpile stewardship program, and that the overall budget profile over the next eight years will accommodate a \$3.4 billion NIF along with the other critical aspects of the program.

Defense computing and modeling.—The conference agreement provides \$786,175,000 for defense computing modeling and the Accelerated Strategic Computing Initiative in the budget structure proposed by the House. The recommendation is \$10,000,000 less than the budget request, and the reduction should be taken against lower priority activities.

Tritium.—A total of \$167,000,000 is provided for continued research and development on a new source of tritium. Funding of \$15,000,000 has been provided for design only activities in Project 98-D-126, Accelerator Production of Tritium.

Readiness in technical base and facilities.—The conference agreement includes several funding adjustments transferring funds from this program to individual campaigns.

For operations of facilities, \$137,300,000 has been transferred to the inertial fusion program. An additional \$36,000,000 has been provided to the production plants for replacement of critical infrastructure and equipment as follows: \$12,000,000 for the Kansas City Plant; \$12,000,000 for the Pantex Plant; \$10,000,000 for the Y-12 Plant; and \$2,000,000 for the Savannah River Plant.

Additional funding of \$10,000,000 has been provided for the operation of pulsed power facilities; \$20,000,000 for microsystems and microelectronics activities at the Sandia National Laboratory; \$7,000,000 for a replacement CMR facility at Los Alamos National Laboratory; and \$3,100,000 to fund the transition period for the new contractor at the Pantex Plant in Texas.

For program readiness, the conference agreement transfers \$7,400,000 to the inertial fusion program and adds \$6,100,000 for the TA-18 relocation.

For nuclear weapons incident response, a new program established in readiness technical base and facilities, the conference agreement provides \$56,289,000. Funding of \$44,205,000 for the nuclear emergency search team and \$12,084,000 for the accident response group was transferred from the emergency management program in the Other Defense Activities account.

Special projects are supported at the budget request of \$48,297,000. Additional funds have not been provided for AMTEX. From within available funds, \$1,000,000 has been provided to support a program in partnership with university systems to meet the needs of the NNSA.

For materials recycling, the conference agreement provides an additional \$8,000,000 to maintain restart schedules for hydrogen fluoride and wet chemistry operations at the Y-12 Plant.

For containers, the conference agreement provides an additional \$4,000,000 to support the effort to repackage pits which is currently behind schedule at the Pantex Plant due to operational problems.

Funding for advanced simulation and computing has been transferred to the defense computing and modeling campaign.

The conference agreement does not provide additional funding to process uranium-233 as proposed by the Senate, but the conferees expect the Department to act expeditiously to process this material in a manner that would retain and make available isotopes for beneficial use. The Department should provide to the House and Senate Committees a report on the status of this project by March 1, 2001.

Construction projects.—The conference agreement provides \$35,500,000 for preliminary project engineering and design. Funding of \$20,000,000 is provided for design and supporting infrastructure upgrades for the Microsystems and Engineering Sciences Applications facility at Sandia National Laboratory; \$5,000,000 for proof of concept and completion of facility operational capability for the Atlas pulsed power machine at the Nevada Test Site; and \$1,000,000 for initiation of design activities for the relocation of the TA-18 nuclear materials handling facility at Los Alamos National Laboratory.

Safeguards and security.—Consistent with the Department's amended budget request for safeguards and security, the conference agreement includes \$377,596,000 for safeguards and security activities at laboratories and facilities managed by the Office of Defense Programs. This is offset by a reduction of \$310,796,000 to be allocated among the various programs which budgeted for safeguards and security costs in their overhead accounts.

Program direction.—The conference agreement provides \$224,071,000 for program direction as proposed by the Senate.

Funding adjustments.—The conference agreement includes the use of \$13,647,000 in prior year balances and a reduction of \$310,796,000 that reflects the allocation of safeguards and security costs in accordance with the Department's amended budget request. In addition, the conference agreement includes a general reduction of \$35,700,000 of which \$25,000,000 is to be taken against programs at Lawrence Livermore National Laboratory.

DEFENSE NUCLEAR NONPROLIFERATION

The conference agreement provides \$874,196,000 for Defense Nuclear Nonproliferation instead of \$861,477,000 as proposed by the House and \$908,967,000 as proposed by the Senate. Statutory language proposed by the House limiting the funds availability to two years has not been included by the conferees. Statutory language proposed by the Senate to earmark funding for the Incorporated Research Institutions for Seismology has not been included. The conferees have provided a total of \$53,000,000 for the long-term Russian initiative within this account.

Limitation on Russian and Newly Independent States' (NIS) program funds.—The conferees are concerned about the amount of funding for Russian and NIS programs which remains in the United States for Department of Energy contractors and laboratories rather than going to the facilities in Russia and the NIS. The conferees direct that not more than the following percentages of funding may be spent in the United States in fiscal year 2001 for these programs: Materials Protection, Control and Accounting, 43%; International Proliferation Prevention Program, 40%; Nuclear

Cities Initiative, 49%; Russian Plutonium Disposition, 38%; and International Nuclear Safety, 78%.

The conferees expect the Department to continue to increase the level of funding which is provided to Russia versus the funding which remains in the United States for Department of Energy contractors and laboratories in each subsequent year. The Department is to provide a report to the Committees by January 31, 2001, and each subsequent year on the amount of funding provided to Russia and NIS in each program area. The Department should work with the Committees on the specific information to be included in the report.

Nonproliferation and verification research and development.—The conference agreement provides \$252,990,000 for nonproliferation and verification research and development. Funding of \$17,000,000 has been provided for the nonproliferation and international security center (NISC) at Los Alamos National Laboratory, and \$1,000,000 for the Incorporated Research Institutions for Seismology PASSCAL Instrument Center.

Concerns have been raised repeatedly that there should be more opportunity for open competition in certain areas of the nonproliferation and verification research and development program. A recent report by an outside group established by the Department to review the Office of Nonproliferation Research and Engineering included a similar recommendation. The report stated that, “There should be greater opportunity for the wider U.S. scientific and technical community to contribute to the success of the NN-20 portfolio. This can be done through open competition administered by DOE Headquarters and through partnerships chosen and managed by the DOE national laboratories.” . . . “Areas that come to mind as candidates for open competition include seismic verification technologies for very low yield underground nuclear tests and chemical and biological agent detection and identification technologies. Other possible areas might be specialized electronic chip development and certain radio-frequency technologies.”

The conferees expect the Department to act in good faith on the recommendations provided by the external review group, and direct the Department to initiate a free and open competitive process for 25 percent of its research and development activities during fiscal year 2001 for ground-based systems treaty monitoring. The competitive process should be open to all Federal and non-Federal entities.

The conferees direct the Department to report to the Committees on Appropriations on the status of implementing the external review panel’s recommendations and the results of the directed open competition by March 30, 2001.

Arms control.—The conference agreement provides \$152,014,000 for arms control activities including \$24,500,000 for the Initiatives for Proliferation Prevention and \$27,500,000 for the Nuclear Cities Initiative. In addition to the \$10,000,000 added to the Nuclear Cities Initiative, the conferees have provided another \$19,000,000 for the long-term Russian initiative in the arms control program to be distributed as follows: \$15,000,000 for spent fuel dry storage; \$500,000 for the plutonium registry at Mayak; \$2,500,000

for geologic repository cooperation research and planning; and \$1,000,000 for research reactor spent fuel acceptance.

International materials protection, control and accounting (MPC&A).—The conference agreement includes \$173,856,000 for the MPC&A program including \$24,000,000 for the long-term Russian initiative. The conferees have provided \$5,000,000 for plutonium storage at Mayak and \$19,000,000 for expanded MPC&A activities at Russian naval sites.

HEU transparency implementation.—The conference agreement provides \$15,190,000, the same as the budget request.

International nuclear safety.—The conference agreement provides \$20,000,000, the same as the budget request, for the international nuclear safety program. This funding is to be used only for activities in support of completing the upgrades to Soviet-designed nuclear reactors. From within available funds, the conference agreement provides \$1,000,000 for a cooperative effort between the United States and Russia to address intergranular stress corrosion cracking and restore the structural integrity of Russian nuclear plants until decommissioning.

Fissile materials disposition.—The conference agreement provides \$249,449,000 for fissile materials disposition. Funding of \$139,517,000, as proposed by the House, has been provided for the U.S. surplus materials disposition program. The conference agreement provides \$26,000,000 for Project 99-D-143, the MOX fuel fabrication facility.

Program direction.—The conference agreement provides \$51,468,000 for the program direction account as proposed by the House. The conferees are aware that the Department does not have enough qualified Federal employees available to manage the non-proliferation and national security programs, particularly the Russian programs. The conferees will favorably consider a reprogramming of funds from program areas to the program direction account as Federal employees are hired to replace the contractor employees who currently oversee these programs.

Funding adjustment.—The conference agreement includes a reduction of \$40,245,000 that reflects the transfer of safeguards and security costs in accordance with the Department's amended budget request.

NAVAL REACTORS

The conference agreement provides \$690,163,000 for Naval Reactors instead of \$694,600,000 as proposed by the Senate and \$677,600,000 as proposed by the House. Additional funding of \$17,000,000 is provided to optimize the program to shutdown prototype reactors and complete all major inactivation work by fiscal year 2002.

Funding adjustment.—The conference agreement includes a reduction of \$4,437,000 that reflects the transfer of safeguards and security costs in accordance with the Department's amended budget request.

OFFICE OF THE ADMINISTRATOR

The conference agreement provides \$10,000,000 for this new account as proposed by the Senate. These funds are provided to the Administrator of the National Nuclear Security Administration for the costs associated with hiring new employees and establishing the office.

OTHER DEFENSE RELATED ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

The conference agreement provides \$4,974,476,000 for Defense Environmental Restoration and Waste Management instead of \$4,522,707,000 as proposed by the House and \$4,635,763,000 as proposed by the Senate. Additional funding of \$1,082,714,000 is contained in the Defense Facilities Closure Projects account and \$65,000,000 in the Defense Environmental Management Privatization account for a total of \$6,122,190,000 provided for all defense environmental management activities.

The conference agreement does not include statutory language proposed by the House pertaining to the use of funds for the Waste Isolation Pilot Plant or language proposed by the Senate earmarking funds for programs to be managed by the Carlsbad office of the Department of Energy.

The conference agreement limits the number of motor vehicles that can be purchased in fiscal year 2001 to not more than 30 for replacement only. The conferees have included an additional reporting requirement on the entire Department and have specified that sport utility vehicles are to be counted within this ceiling.

National monument designation.—The conferees agree that no funds spent by the Department for the coordination, integration, or implementation of a management plan related to the Hanford Reach National Monument shall result in the reduction or delay of cleanup at the Hanford site.

Site/Project Completion.—The conference agreement provides an additional \$11,000,000 for F and H-area stabilization activities at the Savannah River Site in South Carolina as proposed by the House, and \$19,000,000 to address funding shortfalls at the Hanford site in Richland, Washington, as proposed by the Senate. Funding of \$12,308,000 has been transferred to other accounts as proposed by the House.

The conference agreement supports the budget request of \$2,500,000 for the cooperative agreement with WERC and provides \$25,000 for an independent evaluation of the mixed-waste landfill at Sandia National Laboratories in New Mexico.

For construction, the conference agreement provides \$17,300,000 for Project 01-D-414, preliminary project engineering and design (PE&D). Project 01-D-415, 235-F packaging and stabilization, at the Savannah River Site has been funded at \$4,000,000. Funding of \$500,000 requested for Project 01-D-402, INTEC cathodic protection system expansion project, at Idaho Falls has been transferred to the new PE&D project. Funding of \$27,932,000 for the Highly Enriched Blend Down Facility has been transferred to the fissile materials disposition program.

Post 2006 Completion.—The conference agreement includes an additional \$10,000,000 to maintain schedules required by revised compliance agreements with the State of Washington as proposed by the Senate, and \$6,000,000 to support transuranic and low-level waste activities at the Savannah River Site in South Carolina as proposed by the House. Funding of \$10,000,000 for the Four Mile Branch project and \$18,000,000 for the Consolidated Incinerator Facility at the Savannah River Site has not been provided as proposed by the House. Funding of \$18,692,000 has been transferred to the Science and Technology program.

The conference agreement provides \$400,000 to begin design activities for a subsurface geosciences laboratory at Idaho.

From within available funds for the Waste Isolation Pilot Plant, \$1,000,000 has been provided for a transparency demonstration project.

A total of \$3,000,000 has been provided to support a program with the United States-Mexico Border Health Commission to demonstrate technologies to reduce hazardous waste streams and to support the Materials Corridor Partnership Initiative.

Funding of \$1,300,000 for Project 01-D-403, immobilized high level waste interim storage facility, at Richland, Washington, has been transferred to the PE&D project in site/project completion account.

Office of River Protection.—The conference agreement provides \$757,839,000 for the Office of River Protection at the Hanford site in Washington. The conference agreement provides \$377,000,000 for Project 01-D-416, Tank Waste Remediation System, at Richland, Washington, to vitrify the high-level waste in underground tanks. Funding to vitrify waste at the Hanford site was requested in the Defense Environmental Management Privatization account in fiscal year 2001. However, due to the failure of the contractor to provide a viable cost estimate under the concept of a “privatized” contract, the contract will now be structured as a cost plus incentive fee contract and will be funded in the regular appropriation account.

Science and technology development.—The conference agreement provides \$256,898,000 for the science and technology development program. Funding of \$21,000,000 has been transferred to this account for the Idaho validation and verification program. This transfer is not intended to reduce the environmental management base program in Idaho. The Department is directed to provide \$10,000,000 for the next round of new and innovative research grants in the environmental management science program in fiscal year 2001, and \$10,000,000 for technology deployment activities.

The conference agreement provides \$4,000,000 for the international agreement with AEA Technology; \$4,500,000 for the Diagnostic Instrumentation and Analysis Laboratory; \$4,350,000 for the university robotics research program; an additional \$1,000,000 for the D&D focus area; and up to \$4,000,000 to continue evaluation, development and demonstration of the Advanced Vitrification System upon successful completion of supplemental testing. The conferees have provided \$2,000,000 to the National Energy Technology Laboratory to be used for the continuation of the Mid-Atlantic Re-

cycling Center for End-of-Life Electronics initiative (MARCEE) in cooperation with the Polymer Alliance Zone.

The conference agreement includes \$4,000,000 for the long-term stewardship program to be administered at Headquarters and \$4,000,000 for the Idaho National Engineering and Environmental Laboratory. No funds are provided for the low dose radiation effects program, as the entire Senate recommended amount is provided within the Office of Science.

Safeguards and security.—Consistent with the Department's amended budget request for safeguards and security, the conference agreement includes \$203,748,000 for safeguards and security activities at laboratories and facilities managed by the Office of Defense Programs. This is offset by a reduction of \$193,217,000 to be allocated among the various programs which budgeted for safeguards and security costs in their overhead accounts.

Program direction.—The conferees have provided \$363,988,000 for the program direction account. This funding level reflects the transfer of the uranium programs from the office of nuclear energy to the office of environmental management. Funding of \$4,100,000 has been provided to allow for the transfer of up to 5 employees from Headquarters and 25 employees at Oak Ridge who manage the uranium programs.

Funding adjustments.—The conference agreement includes the use of \$34,317,000 of prior year balances and \$50,000,000 in pension refunds, the same as the budget request. The conference agreement includes a reduction of \$193,217,000 that reflects the allocation of safeguards and security costs in accordance with the Department's amended budget request. A general reduction of \$10,700,000 has also been included.

DEFENSE FACILITIES CLOSURE PROJECTS

The conference agreement appropriates \$1,082,714,000 the same as the amended budget request. The conferees expect the Department to request adequate funds to keep each of these projects on a schedule for closure by 2006 or earlier.

Any savings resulting from safeguards and security costs are to be retained and used for cleanup activities at the closure sites.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

The conference agreement provides \$65,000,000 for the defense environmental management privatization program instead of \$259,000,000 as proposed by the House and \$324,000,000 as proposed by the Senate. The conference agreement provides no funds for the Tank Waste Remediation System (TWRS) project at Hanford. Funding for this project, which had previously been considered as a privatization contract, has been transferred to the Defense Environmental Restoration and Waste Management appropriation account.

The conference agreement also includes a rescission of \$97,000,000 of funds previously appropriated for the TWRS project in the Defense Environmental Management Privatization appropriation account.

OTHER DEFENSE ACTIVITIES

The conference agreement appropriates \$585,755,000 for Other Defense Activities instead of \$592,235,000 as proposed by the House and \$579,463,000 as proposed by the Senate. Details of the conference agreement are provided below.

SECURITY AND EMERGENCY OPERATIONS

For nuclear safeguards and security, the conference agreement provides \$116,409,000 as proposed by the House. The conferees have provided \$3,000,000 for the critical infrastructure protection program, an increase of \$600,000 over fiscal year 2000. The conference agreement also provides \$2,000,000 to procure safety locks to meet Federal specifications.

The conference agreement provides \$33,000,000 for security investigations, the same as the budget request.

The conference agreement includes \$33,711,000 for emergency management. Funding of \$3,600,000 was transferred to the program direction account to reflect the conversion of contractor employees to Federal employees at a substantial cost savings. Funding of \$44,205,000 for the nuclear emergency search team and \$12,084,000 for the accident response group was transferred to the Weapons Activities account.

Program direction.—The conference agreement provides \$92,967,000 for the program direction account as proposed by the House. This reflects the transfer of \$3,600,000 from the emergency management program.

INTELLIGENCE

The conference agreement includes \$38,059,000 as proposed by the House and the Senate to support the Department's intelligence program.

COUNTERINTELLIGENCE

The conference agreement includes \$45,200,000 as proposed by the House and the Senate to support the Department's counter-intelligence program.

ADVANCED ACCELERATOR APPLICATIONS

The conference agreement provides \$34,000,000 to establish a new program for advanced accelerator applications, including \$3,000,000 for research and development of technologies for economic and environmentally sound refinement of spent nuclear fuel at the University of Nevada-Las Vegas.

The Department is directed to prepare a program plan for managing and executing this program using the extensive expertise of the Office of Science and the Office of Defense Programs in accelerator research, design, and applications, and the expertise of the Office of Nuclear Energy in transmutation of nuclear waste. This program plan should be submitted to the Committees by March 1, 2001.

The conferees make no recommendation as to how the Department should manage the advanced accelerator application program.

INDEPENDENT OVERSIGHT AND PERFORMANCE ASSURANCE

The conference agreement provides \$14,937,000, the same as the budget request for the office of independent oversight and performance assurance.

ENVIRONMENT, SAFETY AND HEALTH (DEFENSE)

The conference agreement provides \$125,567,000 for defense-related environment, safety and health activities. The conferees have provided \$3,000,000 to establish a program at the University of Nevada-Las Vegas for Department-wide management of electronic records; \$1,750,000 for the University of Louisville and the University of Kentucky to undertake epidemiological studies of workers; \$880,000 to provide medical screening for workers employed at the Amchitka nuclear weapons test site; and \$500,000 for the State of Nevada to address deficiencies in the Cancer Registry, Vital Statistics, and Birth Defects Registry activities.

The conference agreement includes \$17,000,000 for the Department's administrative costs associated with the proposed Energy Employees Compensation Initiative. These funds are not available until the program is authorized by law.

WORKER AND COMMUNITY TRANSITION

The conference agreement provides \$24,500,000 for the worker and community transition program, including \$2,100,000 for infrastructure improvements at the former Pinellas plant. The conferees expect that communities denied funds in fiscal year 2000 will be granted priority status in fiscal year 2001.

The conference agreement provides that no funds may be used to augment the \$24,500,000 made available for obligation for severance payments and other benefits and community assistance grants unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees.

NATIONAL SECURITY PROGRAMS ADMINISTRATIVE SUPPORT

The conference agreement provides \$25,000,000 for national security programs administrative support instead of \$51,000,000 as proposed by the House and no funding as proposed by the Senate.

OFFICE OF HEARINGS AND APPEALS

The conference agreement provides \$3,000,000 as proposed by the House and the Senate.

FUNDING ADJUSTMENTS

A reduction of \$595,000 and the elimination of the \$20,000,000 offset to user organizations for security investigations reflects the allocation of the safeguards and security amended budget request.

DEFENSE NUCLEAR WASTE DISPOSAL

The conference agreement provides \$200,000,000 as proposed by the House instead of \$292,000,000 as proposed by the Senate.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

The conferees have included the statutory language extending Bonneville's voluntary separation incentive program until January 1, 2003.

During fiscal year 2001, Bonneville plans to pay the Treasury \$620,000,000 of which \$163,000,000 is to repay principal on the Federal investment in these facilities.

SOUTHEASTERN POWER ADMINISTRATION

The conference agreement includes \$3,900,000, the same as the budget request, for the Southeastern Power Administration.

SOUTHWESTERN POWER ADMINISTRATION

The conference agreement includes \$28,100,000, the same as the budget request, for the Southwestern Power Administration.

WESTERN AREA POWER ADMINISTRATION

The conference agreement provides \$165,830,000, instead of \$164,916,000 as proposed by the Senate and \$160,930,000 as proposed by the House. The conference agreement increases the amount of purchase power and wheeling to \$65,224,000 and increases offsetting collections by the same amount. Funding of \$5,950,000 is provided for the Utah Reclamation Mitigation and Conservation Account.

FALCON AND AMISTAD FUND

The conference agreement includes \$2,670,000, the same as the budget request, for the Falcon and Amistad Operating and Maintenance Fund.

FEDERAL ENERGY REGULATORY COMMISSION

The conference agreement includes \$175,200,000, the same as the budget request for the Federal Energy Regulatory Commission.

RESCISSIONS

DEFENSE NUCLEAR WASTE DISPOSAL

The conference agreement includes language rescinding \$75,000,000 from funds previously appropriated for interim waste storage activities for Defense Nuclear Waste Disposal in Public Law 104-46, the fiscal year 1996 Energy and Water Development Appropriations Act.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

The conference agreement includes language rescinding \$97,000,000 from the Defense Environmental Management Privatization account. Funds were appropriated in this account in prior years for the Hanford Tank Waste Remediation System Project. This project is no longer being considered for a privatization contract. It has been transferred to the Defense Environmental Res-

toration and Waste Management appropriation account and will be funded there in future appropriation acts.

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

SEC. 301. The conference agreement includes a provision proposed by the House that none of the funds may be used to award a management and operating contract unless such contract is awarded using competitive procedures, or the Secretary of Energy grants a waiver to allow for such a deviation. Section 301 does not preclude extension of a contract awarded using competitive procedures.

SEC. 302. The conference agreement includes a provision proposed by the House and Senate that none of the funds may be used to prepare or implement workforce restructuring plans or provide enhanced severance payments and other benefits and community assistance grants for Federal employees of the Department of Energy under section 3161 of the National Defense Authorization Act of Fiscal Year 1993, Public Law 102-484.

SEC. 303. The conference agreement modifies a provision proposed by the House that none of the funds may be used to augment the \$24,500,000 made available for obligation for severance payments and other benefits and community assistance grants unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees.

SEC. 304. The conference agreement includes a provision proposed by the House and Senate that none of the funds may be used to prepare or initiate Requests for Proposals for a program if the program has not been funded by Congress in the current fiscal year. This provision precludes the Department from initiating activities for new programs which have been proposed in the budget request, but which have not yet been funded by Congress.

SEC. 305. The conference agreement includes a provision proposed by the House and Senate that permits the transfer and merger of unexpended balances of prior appropriations with appropriation accounts established in this bill.

SEC. 306. The conference agreement includes language providing that not to exceed 6 percent of funds shall be available for Laboratory Directed Research and Development.

SEC. 307. The conference agreement includes language limiting to \$185,000,000 the funds available for reimbursement of management and operating contractor travel expenses. Of the \$185,000,000, \$175,000,000 is available for contractor travel and \$10,000,000 is to be held in reserve by the Department's Chief Financial Officer for emergency travel requirements. The language also requires the Department of Energy to reimburse contractors for travel consistent with regulations applicable to Federal employees and specifies that the travel ceiling does not apply to travel funded from Laboratory Directed Research and Development funds.

SEC. 308. The conference agreement includes language prohibiting the Bonneville Power Administration from performing energy efficiency services outside the legally defined Bonneville service territory.

SEC. 309. The conference agreement includes language limiting the types of waste that can be disposed of in the Waste Isolation Pilot Plant in New Mexico. None of the funds may be used to dispose of transuranic waste in excess of 20 percent plutonium by weight for the aggregate of any material category. At the Rocky Flats site, this provision includes ash residues; salt residues; wet residues; direct repackaging residues; and scrub alloy as referenced in the "Final Environmental Impact Statement on Management of Certain Plutonium Residues and Scrub Alloy Stored at the Rocky Flats Environmental Technology Site".

SEC. 310. The conference agreement includes language allowing the Administrator of the National Nuclear Security Administration to authorize certain nuclear weapons production plants to use not more than 2 percent of available funds for research, development and demonstration activities.

SEC. 311. The conference agreement includes language allowing each Federal power marketing administration to engage in activities relating to the formation and operation of a regional transmission organization.

SEC. 312. The conference agreement includes language that would permit the Secretary of Energy to use \$10,000,000 of funds previously appropriated for interim waste storage activities for Defense Nuclear Waste Disposal upon receipt of written certification that the site recommendation report cannot be completed on time without additional funding.

SEC. 313. The conference agreement includes language proposed by the Senate that would provide a three year term of office for the first person appointed to the position of the Under Secretary of Nuclear Security of the Department of Energy.

SEC. 314. The conference agreement includes language proposed by the Senate limiting the authority of the Secretary of Energy to modify the organization of the National Nuclear Security Administration.

SEC. 315. The conference agreement includes language proposed by the Senate prohibiting the pay of personnel engaged in concurrent service or duties inside and outside the National Nuclear Security Administration.

Report on impacts of limits on on-site storage.—The conference agreement does not include statutory language proposed by the Senate, but the conferees direct that not later than 90 days after enactment of the fiscal year 2001 Energy and Water Development Appropriations Act, the Secretary of Energy shall submit to Congress a report containing a description of all alternatives that are available to the Northern States Power Company and the Federal government to allow the company to continue to operate the Prairie Island nuclear generating plant until the end of the term of the license issued to the company by the Nuclear Regulatory Commission, in view of a law of the State of Minnesota that limits the quantity of spent nuclear fuel that may be stored at the plant, assuming that the existing Federal and State laws remain unchanged.

Report on electricity prices.—The conferees note that California is currently experiencing an energy crisis. Wholesale electricity prices have soared, resulting in electrical bills that have increased

by as much as 300 percent in the San Diego area. Conferees understand that the staff of the Federal Energy Regulatory Commission is currently investigating the crisis. The Commission is directed to submit to Congress a report on the results of the investigation no later than December 1, 2000. The report shall include identification of the causes of the San Diego price increases, a determination whether California wholesale electricity markets are competitive, a recommendation whether a regional price cap should be set in the Western States, a determination whether manipulation of prices has occurred at the wholesale level, and a determination of remedies, including legislation or regulations, that are necessary to correct the problem and prevent similar incidents in California and elsewhere in the United States.

Provisions not adopted by the conferees.—The conference agreement deletes language proposed by the House and Senate prohibiting the use of funds for contracts modified in a manner that deviates from the Federal Acquisition Regulation.

The conference agreement deletes language proposed by the Senate allowing the Secretary of Energy to enter into multiyear contracts without obligating the estimated costs.

The conference agreement deletes language proposed by the Senate requiring the Department of Energy's laboratories to provide an annual funding plan to the Department.

The conference agreement deletes language proposed by the House prohibiting the payment of Federal salaries in the working capital fund.

The conference agreement deletes language proposed by the Senate prohibiting the expenditure of funds to establish or maintain independent centers at Department of Energy laboratories or facilities. The conference agreement includes report language requiring the Department to identify these centers in the budget request.

The conference agreement deletes language proposed by the House requiring a report on activities of the executive branch to address high gasoline prices and develop an overall national energy strategy.

The conference agreement deletes language proposed by the Senate prohibiting the expenditure of funds to restart the High Flux Beam Reactor.

The conference agreement deletes language proposed by the Senate limiting the inclusion of costs of protecting fish and wildlife within the rates charged by the Bonneville Power Administration.

The conference agreement deletes language proposed by the Senate limiting the cost of construction of the National Ignition Facility.

The conference agreement deletes language proposed by the Senate requiring an evaluation of innovative technologies for demilitarization of weapons components and treatment of hazardous waste.

The conference agreement deletes language proposed by the Senate requiring a report on national energy policy.

The conference agreement deletes language proposed by the Senate noting concern with the House provision on limiting funds for worker and community transition.

The conference agreement deletes language proposed by the Senate requiring a report on the impact of State-imposed limits on spent nuclear fuel storage. This requirement has been included in report language.

The conference agreement deletes language proposed by the Senate limiting the use of funds to promote or advertise public tours at Yucca Mountain. This requirement has been included in report language.

CONFERENCE RECOMMENDATIONS

The conference agreement's detailed funding recommendations for programs in title III are contained in the following table.

Department of Energy (in thousands)

	Budget Request	Conference
ENERGY SUPPLY		
RENEWABLE ENERGY RESOURCES		
Renewable energy technologies		
Biomass/biofuels energy systems		
Power systems.....	47,830	40,000
Transportation.....	54,110	46,160
Subtotal, Biomass/biofuels energy systems.....	101,940	86,160
Biomass/biofuels energy research.....	26,740	26,740
Subtotal, Biomass.....	128,680	112,900
Geothermal technology development.....	26,970	27,000
Hydrogen research.....	22,940	27,000
Hydrogen energy research.....	2,970	2,970
Subtotal, Hydrogen.....	25,910	29,970
Hydropower.....	5,000	5,000
Solar energy		
Concentrating solar power.....	14,940	13,800
Photovoltaic energy systems.....	81,450	75,775
Photovoltaic energy research.....	2,847	2,847
Subtotal, Photovoltaic.....	84,297	78,622
Solar building technology research.....	4,470	3,950
Solar photoconversion energy research.....	14,260	14,260
Subtotal, Solar energy.....	117,967	110,632
Wind energy systems.....	50,140	40,000
Wind energy research.....	283	283
Subtotal, Wind.....	50,423	40,283
Total, Renewable energy technologies.....	354,950	325,785
	=====	=====

Department of Energy (in thousands)

	Budget Request	Conference
Electric energy systems and storage		
High temperature superconducting R&D.....	31,900	37,000
Energy storage systems.....	5,000	6,000
Transmission reliability.....	10,960	9,000
Total, Electric energy systems and storage.....	47,860	52,000
Renewable support and implementation		
Departmental energy management.....	4,988	2,000
International renewable energy program.....	11,460	5,000
Renewable energy production incentive program.....	4,000	4,000
Renewable Indian energy resources.....	5,000	6,600
Renewable program support.....	6,500	4,000
Total, Renewable support and implementation.....	31,948	21,600
National renewable energy laboratory.....	1,900	4,000
Program direction.....	18,159	18,700
TOTAL, RENEWABLE ENERGY RESOURCES.....	454,817	422,085

Department of Energy (in thousands)

	Budget Request	Conference
-----	-----	-----
NUCLEAR ENERGY		
Advanced radioisotope power system.....	30,864	32,200
Isotopes	-----	-----
Isotope support and production.....	16,218	24,715
Construction		
99-E-201 Isotope production facility (LANL).....	500	2,500
Subtotal, Isotope support and production.....	16,718	27,215
Offsetting collections.....	---	-8,000
Total, Isotopes.....	16,718	19,215
	-----	-----
University reactor fuel assistance and support.....	12,000	12,000
Research and development	-----	-----
Nuclear energy plant optimization.....	5,000	5,000
Nuclear energy research initiative.....	34,903	35,000
Nuclear energy technologies.....	---	7,500
Total, Research and development.....	39,903	47,500
	-----	-----
Infrastructure		
ANL-West operations.....	---	39,150
Fast flux test facility (FFTF).....	38,524	44,010
Test reactor area landlord.....	7,415	7,575
Construction		
99-E-200 Test reactor area electrical utility upgrade, Idaho National Engineering Laboratory, ID.....	879	925
95-E-201 Test reactor area fire and life safety improvements, Idaho National Engineering Laboratory, ID.....	458	500
Subtotal, Construction.....	1,337	1,425
Subtotal, Test reactor area landlord.....	8,752	9,000
	-----	-----
Total, Infrastructure.....	47,276	92,160
	=====	=====

Department of Energy (in thousands)

	Budget Request	Conference
Nuclear facilities management.....	66,126	---
Nuclear facilities management	-----	-----
EBR-II shutdown.....	---	8,800
Disposition of spent fuel and legacy materials.....	---	16,200
Disposition technology activities.....	---	9,850
Total, Nuclear facilities management.....	---	34,850
Uranium programs.....	47,779	---
Program direction.....	27,620	22,000
TOTAL, NUCLEAR ENERGY.....	288,286	259,925

Department of Energy (in thousands)

	Budget Request	Conference

ENVIRONMENT, SAFETY AND HEALTH		
Environment, safety and health.....	19,906	16,000
Program direction.....	19,998	19,998
	=====	=====
TOTAL, ENVIRONMENT, SAFETY AND HEALTH.....	39,904	35,998
	=====	=====
ENERGY SUPPORT ACTIVITIES		
Technical information management program.....	1,802	1,600
Program direction.....	7,335	7,000
	=====	=====
TOTAL, ENERGY SUPPORT ACTIVITIES.....	9,137	8,600
	=====	=====
Subtotal, Energy supply.....	792,144	726,608
	=====	=====
Renewable energy research program.....	-47,100	-47,100
Transfer from Geothermal and USEC.....	-12,000	---
Offset from nuclear energy royalties.....	-2,352	-2,352
Reduction for safeguards and security.....	---	-16,582
	=====	=====
TOTAL, ENERGY SUPPLY.....	730,692	660,574
	=====	=====

Department of Energy (in thousands)

	Budget Request	Conference

NON-DEFENSE ENVIRONMENTAL MANAGEMENT		
Site closure.....	81,248	81,636
Site/project completion.....	63,798	61,621
Post 2006 completion.....	137,766	137,744
Reduction for safeguards and security.....	---	-3,189
	=====	=====
TOTAL, NON-DEFENSE ENVIRONMENTAL MANAGEMENT.....	282,812	277,812
	=====	=====
URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND		
Decontamination and decommissioning.....	264,588	---
Uranium/thorium reimbursement.....	30,000	---
	=====	=====
TOTAL, URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING.....	294,588	---
	=====	=====
URANIUM FACILITIES MAINTENANCE AND REMEDIATION		
Uranium Enrichment Decontamination and Decommissioning Fund		
Decontamination and decommissioning.....	---	273,038
Uranium/thorium reimbursement.....	---	72,000
	=====	=====
Total, Uranium enrichment D&D fund.....	---	345,038
	=====	=====
Other Uranium Activities		
Maintenance of facilities and inventories.....	---	29,193
Pre-existing liabilities.....	---	11,330
Depleted UF6 conversion project.....	---	21,877
	=====	=====
Total, Other uranium activities.....	---	62,400
	=====	=====
Reduction for safeguards and security.....	---	-14,071
	=====	=====
TOTAL, URANIUM FACILITIES MAINTENANCE AND REMEDATION.....	---	393,367
	=====	=====

Department of Energy (in thousands)

	Budget Request	Conference
SCIENCE		
High energy physics		
Research and technology.....	236,000	234,720
Facility operations.....	440,872	459,010
Construction		
00-G-307 SLAC office building.....	5,200	5,200
99-G-306 Wilson hall safety improvements, Fermilab.....	4,200	4,200
98-G-304 Neutrinos at the main injector, Fermilab.....	23,000	23,000
Subtotal, Construction.....	32,400	32,400
Subtotal, Facility operations.....	473,272	491,410
Total, High energy physics.....	709,272	726,130
Nuclear physics.....	365,069	369,890
Biological and environmental research.....	435,954	497,760
Construction		
01-E-300 Laboratory for Comparative and Functional Genomics, ORNL.....	2,500	2,500
Total, Biological and environmental research....	438,454	500,260

Department of Energy (in thousands)

	Budget Request	Conference
Basic energy sciences		
Materials sciences.....	448,964	456,111
Chemical sciences.....	219,090	223,229
Engineering and geosciences.....	40,304	40,816
Energy biosciences.....	33,662	33,714
Construction		
99-E-334 Spallation neutron source (ORNL).....	261,900	259,500
Total, Basic energy sciences.....	1,003,920	1,013,370
Advanced scientific computing research.....	179,817	170,000
Energy research analyses.....	988	1,000
Multiprogram energy labs - facility support		
Infrastructure support.....	1,023	1,160
Oak Ridge landlord.....	7,475	10,711
Construction		
MEL-001 Multiprogram energy laboratory infrastructure projects, various locations.....	22,059	22,059
Total, Multiprogram energy labs - fac. support..	30,557	33,930
Fusion energy sciences program.....	243,907	255,000
Safeguards and security.....	49,818	49,818
Program direction		
Field offices.....	82,929	83,307
Headquarters.....	51,408	51,438
Science education.....	6,500	4,500
Total, Program direction.....	140,837	139,245
Subtotal, Science.....	3,162,639	3,258,643
General reduction.....	---	-34,047
Reduction for safeguards and security.....	---	-38,244
TOTAL, SCIENCE.....	3,162,639	3,186,352

Department of Energy (in thousands)

	Budget Request	Conference

NUCLEAR WASTE DISPOSAL		
Repository program.....	255,034	135,200
Program direction.....	63,540	62,800
Reduction for safeguards and security.....	---	-6,926
	-----	-----
TOTAL, NUCLEAR WASTE DISPOSAL.....	318,574	191,074
	=====	=====

Department of Energy (in thousands)

	Budget Request	Conference

DEPARTMENTAL ADMINISTRATION		
Administrative operations		
Salaries and expenses		
Office of the Secretary.....	6,648	5,000
Board of contract appeals.....	878	878
Chief financial officer.....	30,748	32,148
Contract reform.....	2,500	2,500
Congressional and intergovernmental affairs.....	5,146	5,000
Economic impact and diversity.....	5,126	5,126
General counsel.....	22,724	22,724
International affairs.....	9,400	8,500
Management and administration.....	78,882	77,800
Policy office.....	6,688	6,600
Public affairs.....	4,150	3,900
Subtotal, Salaries and expenses.....	172,890	170,176
Program support		
Minority economic impact.....	1,498	1,500
Policy analysis and system studies.....	406	422
Environmental policy studies.....	1,600	1,000
Corporate management information program.....	12,000	12,000
Subtotal, Program support.....	15,504	14,922
Total, Administrative operations.....	188,394	185,098
=====		
Cost of work for others.....	34,027	74,027
Subtotal, Departmental Administration.....	222,421	259,125
Use of prior year balances and other adjustments.....	-8,000	-8,000
Transfer from other defense activities.....	---	-25,000
Reduction for safeguards and security.....	---	-18
Total, Departmental administration (gross).....	214,421	226,107
Miscellaneous revenues.....	-128,762	-151,000
TOTAL, DEPARTMENTAL ADMINISTRATION (net).....	85,659	75,107
=====		

Department of Energy (in thousands)

	Budget Request	Conference
OFFICE OF INSPECTOR GENERAL		
Office of Inspector General.....	33,000	31,500
	=====	=====

Department of Energy (in thousands)

	Budget Request	Conference
ATOMIC ENERGY DEFENSE ACTIVITIES		
NATIONAL NUCLEAR SECURITY ADMINISTRATION		
WEAPONS ACTIVITIES		
Stewardship operation and maintenance		
Directed stockpile work		
Stockpile research and development.....	243,300	272,300
Stockpile maintenance.....	257,994	279,994
Stockpile evaluation.....	151,710	174,710
Dismantlement/disposal.....	29,260	29,260
Production support.....	149,939	149,939
Field engineering, training and manuals.....	4,400	4,400
Reduction for safeguards and security.....	-17,427	---
Subtotal, Directed stockpile work.....	819,176	910,603
Campaigns		
Primary certification.....	41,400	41,400
Dynamic materials properties.....	64,408	74,408
Advanced radiography.....	43,000	58,000
Construction		
97-D-102 Dual-axis radiographic hydrotest facility (LANL), Los Alamos, NM.....	35,232	35,232
Subtotal, Advanced radiography.....	78,232	93,232
Secondary certification and nuclear systems margins.....	52,964	52,964
Enhanced surety.....	40,600	40,600
Weapons system engineering certification.....	16,300	16,300
Certification in hostile environments.....	15,400	15,400
Enhanced surveillance.....	89,651	106,651
Advanced design and production technologies.....	75,735	75,735
Inertial confinement fusion.....	120,800	250,500
Construction		
96-D-111 National ignition facility, LLNL.....	73,469	199,100
Subtotal, Inertial confinement fusion.....	194,269	449,600

Department of Energy (in thousands)

	Budget Request	Conference
Defense computing and modeling.....	249,100	716,175
Construction		
01-D-101 Distributed information systems laboratory, SNL, Livermore, CA.....	2,300	2,300
00-D-103, Terascale simulation facility, LLNL, Livermore, CA.....	4,900	5,000
00-D-105 Strategic computing complex, LANL, Los Alamos, NM.....	56,000	56,000
00-D-107 Joint computational engineering laboratory, SNL, Albuquerque, NM.....	6,700	6,700
Subtotal, Construction.....	69,900	70,000
Subtotal, Defense computing and modeling.....	319,000	786,175
Pit manufacturing readiness.....	108,038	125,038
Secondary readiness.....	15,000	20,000
Materials readiness.....	40,511	40,511
Tritium readiness.....	77,000	77,000
Construction		
98-D-125 Tritium extraction facility, SR.....	75,000	75,000
98-D-126 Accelerator production of Tritium, various locations.....	---	15,000
Subtotal, Construction.....	75,000	90,000
Subtotal, Tritium readiness.....	152,000	167,000
Reduction for safeguards and security.....	-52,204	---
Subtotal, Campaigns.....	1,251,304	2,105,014

Department of Energy (in thousands)

	Budget Request	Conference
Readiness in technical base and facilities		
Operations of facilities.....	1,313,432	1,252,232
Program readiness.....	75,800	74,500
Nuclear weapons incident response.....	---	56,289
Special projects.....	48,297	48,297
Material recycle and recovery.....	22,018	30,018
Containers.....	7,876	11,876
Storage.....	9,075	9,075
Advanced simulation and computing.....	477,075	---
Reduction for safeguards and security.....	-220,867	---
Subtotal, Readiness in technical base and fac...	1,732,706	1,482,287
Construction		
01-D-103 Preliminary project engineering and design (PE&D), various locations.....	14,500	35,500
01-D-124 HEU storage facility, Y-12 plant, Oak Ridge, TN.....	17,749	17,800
01-D-126 Weapons Evaluation Test Laboratory Pantex Plant, Amarillo, TX.....	3,000	3,000
99-D-103 Isotope sciences facilities, LLNL, Livermore, CA.....	4,975	5,000
99-D-104 Protection of real property (roof reconstruction-Phase II), LLNL, Livermore, CA...	2,786	2,800
99-D-106 Model validation & system certification center, SNL, Albuquerque, NM.....	5,200	5,200
99-D-108 Renovate existing roadways, Nevada Test Site, NV.....	1,874	2,000
99-D-125 Replace boilers and controls, Kansas City plant, Kansas City, MO.....	13,000	13,000
99-D-127 Stockpile management restructuring initiative, Kansas City plant, Kansas City, MO..	23,566	23,765
99-D-128 Stockpile management restructuring initiative, Pantex consolidation, Amarillo, TX..	4,998	4,998
98-D-123 Stockpile management restructuring initiative, Tritium factory modernization and consolidation, Savannah River, SC.....	30,767	30,767
97-D-123 Structural upgrades, Kansas City plant, Kansas City, KS.....	2,864	2,918

Department of Energy (in thousands)

	Budget Request	Conference
95-D-102 Chemistry and metallurgy research (CMR) upgrades project (LANL).....	13,337	13,337
Subtotal, Construction.....	138,616	160,085
Subtotal, Readiness in technical base and fac...	1,871,322	1,642,372
Total, Stewardship operation and maintenance.....	3,941,802	4,657,989
Transportation safeguards division		
Operations and equipment.....	79,357	79,357
Program direction.....	36,316	36,316
Total, Transportation safeguards division.....	115,673	115,673
Safeguards and security.....	356,840	356,840
Construction		
99-D-132 SMRI nuclear material safeguards and security upgrade project (LANL), Los Alamos, NM...	18,043	18,043
88-D-123 Security enhancements, Pantex plant, Amarillo, TX.....	2,713	2,713
Subtotal, Construction.....	20,756	20,756
Total, Safeguards and security.....	377,596	377,596
Program direction.....	204,154	224,071
Subtotal, Weapons activities.....	4,639,225	5,375,329
Use of prior year balances.....	---	-13,647
General reduction.....	---	-35,700
Reduction for safeguards and security.....	---	-310,796
TOTAL, WEAPONS ACTIVITIES.....	4,639,225	5,015,186

Department of Energy (in thousands)

	Budget Request	Conference

DEFENSE NUCLEAR NONPROLIFERATION		
Nonproliferation and verification, R&D.....	216,550	235,990
Construction		
00-D-192 Nonproliferation and international security center (NISC), LANL.....	7,000	17,000
Total, Nonproliferation and verification, R&D.....	223,550	252,990
=====		
Arms control.....	119,915	152,014
International materials protection, control, and accounting.....	146,081	173,856
Long-term nonproliferation program for Russia.....	100,000	---
HEU transparency implementation.....	15,166	15,190
International nuclear safety.....	18,902	20,000
Fissile materials disposition		
U.S. surplus materials disposition.....	117,912	139,517
Russian surplus materials disposition.....	34,803	40,000
Program direction - MD.....	9,878	---
Construction		
01-D-407 Highly enriched uranium (HEU) blend down, Savannah River, SC.....	---	20,932
01-D-142 Immobilization and associated processing facility, various locations.....	3,000	3,000
99-D-141 Pit disassembly and conversion facility, various locations.....	20,000	20,000
99-D-143 Mixed oxide fuel fabrication facility various locations.....	15,000	26,000
Subtotal, Construction.....	38,000	69,932
Total, Fissile materials disposition.....	200,593	249,449
=====		
Program direction.....	41,383	51,468
Use of prior year balances.....	---	-526
Reduction for safeguards and security.....	---	-40,245
=====		
TOTAL, DEFENSE NUCLEAR NONPROLIFERATION.....	865,590	874,196
=====		

Department of Energy (in thousands)

	Budget Request	Conference

NAVAL REACTORS		
Naval reactors development.....	623,063	644,500
Construction		
GPN-101 General plant projects, various locations.	11,400	11,400
01-D-200 Major office replacement building, Schenectady, NY.....	1,300	1,300
90-N-102 Expended core facility dry cell project, Naval Reactors Facility, ID.....	16,000	16,000
Subtotal, Construction.....	28,700	28,700
Total, Naval reactors development.....	651,763	673,200
	=====	=====
Program direction.....	21,320	21,400
Reduction for safeguards and security.....	---	-4,437
	=====	=====
TOTAL, NAVAL REACTORS.....	673,083	690,163
	=====	=====
OFFICE OF THE ADMINISTRATOR		
Office of the Administrator.....	---	10,000
	=====	=====
TOTAL, NATIONAL NUCLEAR SECURITY ADMINISTRATION...	6,177,898	6,589,545
	=====	=====

Department of Energy (in thousands)

	Budget Request	Conference
DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MGMT.		
Site/project completion		
Operation and maintenance.....	856,812	919,167
Construction		
01-D-402 Intec cathodic protection system expansion project, Idaho National Engineering and Environmental Laboratory, Idaho Falls, ID.....	481	---
01-D-407 Highly enriched uranium (HEU) blend down, Savannah River, SC.....	27,932	---
01-D-414 Preliminary project, engineering and design (PE&D), various locations.....	---	17,300
01-D-415 235-F packaging and stabilization project, Savannah River, SC.....	---	4,000
99-D-402 Tank farm support services, F&H area, Savannah River site, Aiken, SC.....	7,714	7,714
99-D-404 Health physics instrumentation laboratory (INEL), ID.....	4,277	4,300
98-D-453 Plutonium stabilization and handling system for PFP, Richland, WA.....	1,690	1,690
97-D-470 Regulatory monitoring and bioassay laboratory, Savannah River site, Aiken, SC.....	3,949	3,949
96-D-471 CFC HVAC/chiller retrofit, Savannah River site, Aiken, SC.....	12,512	12,512
92-D-140 F&H canyon exhaust upgrades, Savannah River, SC.....	8,879	8,879
86-D-103 Decontamination and waste treatment facility (LLNL), Livermore, CA.....	2,000	2,000
Subtotal, Construction.....	69,434	62,344
Total, Site/project completion.....	926,246	981,511

Department of Energy (in thousands)

	Budget Request	Conference
Post 2006 completion		
Operation and maintenance.....	2,453,735	2,251,514
Uranium enrichment D&D fund contribution.....	420,000	420,000
Construction		
93-D-187 High-level waste removal from filled waste tanks, Savannah River, SC.....	27,212	27,212
Office of River Protection		
Operation and maintenance.....	---	309,619
Construction		
01-D-403 Immobilized high level waste interim storage facility, Richland, WA.....	1,300	---
01-D-416 Tank waste remediation system, Richland, WA.....	---	377,000
99-D-403 Infrastructure support, Richland, WA...	7,812	7,812
97-D-402 Tank farm restoration and safe operations, Richland, WA.....	46,023	46,023
94-D-407 Initial tank retrieval systems, Richland, WA.....	17,385	17,385
Subtotal, Construction.....	72,520	448,220
Subtotal, Office of River Protection.....	72,520	757,839
Total, Post 2006 completion.....	2,973,467	3,456,565

Department of Energy (in thousands)

	Budget Request	Conference
Science and technology.....	195,032	256,898
Safeguards and security.....	203,748	203,748
Program direction.....	347,881	363,988
Subtotal, Defense environmental management.....	4,646,374	5,262,710
Use of prior year balances.....	-34,317	-34,317
Pension refund.....	-50,000	-50,000
General reduction.....	---	-10,700
Reduction for safeguards and security.....	---	-193,217
TOTAL, DEFENSE ENVIRON. RESTORATION AND WASTE MGMT	4,562,057	4,974,476
DEFENSE FACILITIES CLOSURE PROJECTS		
Site closure.....	1,027,942	1,027,942
Safeguards and security.....	54,772	54,772
TOTAL, DEFENSE FACILITIES CLOSURE PROJECTS.....	1,082,714	1,082,714
DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION		
Privatization initiatives, various locations.....	539,976	90,092
Use of prior year balances.....	-25,092	-25,092
TOTAL, DEFENSE ENVIRONMENTAL MGMT. PRIVATIZATION..	514,884	65,000
TOTAL, DEFENSE ENVIRONMENTAL MANAGEMENT.....	6,159,655	6,122,190

Department of Energy (in thousands)

	Budget Request	Conference
OTHER DEFENSE ACTIVITIES		
Other national security programs		
Security and emergency operations		
Nuclear safeguards.....	123,566	116,409
Security investigations.....	38,597	33,000
Emergency management.....	91,773	33,711
Program direction.....	89,367	92,967
Subtotal, Security and emergency operations...	343,303	276,087
Intelligence.....	35,010	36,059
Construction		
01-D-800 Sensitive compartmented information		
facility, LLNL, Livermore, CA.....	1,975	2,000
Subtotal, Intelligence.....	36,985	38,059
Counterintelligence.....	44,328	45,200
Advanced accelerator applications.....	---	34,000
Independent oversight and performance assurance		
Program direction.....	14,937	14,937
Environment, safety and health (Defense).....	85,963	102,963
Program direction - EH.....	22,604	22,604
Subtotal, Environment, safety & health (Defense)	108,567	125,567
Worker and community transition.....	21,497	21,500
Program direction - WT.....	3,000	3,000
Subtotal, Worker and community transition.....	24,497	24,500
National Security programs administrative support...		25,000
Office of hearings and appeals.....	3,000	3,000
Subtotal, Other defense activities.....	575,617	586,350
Reduction for safeguards and security.....	---	-595
TOTAL, OTHER DEFENSE ACTIVITIES.....	575,617	585,755

Department of Energy (in thousands)

	Budget Request	Conference

DEFENSE NUCLEAR WASTE DISPOSAL		
Defense nuclear waste disposal.....	112,000	200,000
	=====	=====
ENERGY EMPLOYEES COMPENSATION INITIATIVE		
Energy employees beryllium compensation fund.....	12,800	---
Energy employees pilot project.....	2,000	---
Paducah employees exposure compensation fund.....	2,200	---
	=====	=====
TOTAL, ENERGY EMPLOYEES COMPENSATION INITIATIVE...	17,000	---
	=====	=====
TOTAL, ATOMIC ENERGY DEFENSE ACTIVITIES.....	13,042,170	13,497,490
	=====	=====
POWER MARKETING ADMINISTRATIONS		
SOUTHEASTERN POWER ADMINISTRATION		
Operation and maintenance		
Purchase power and wheeling.....	34,463	34,463
Program direction.....	5,000	5,000
	-----	-----
Subtotal, Operation and maintenance.....	39,463	39,463
Offsetting collections.....	-34,463	-34,463
Use of prior year balances.....	-1,100	-1,100
	-----	-----
TOTAL, SOUTHEASTERN POWER ADMINISTRATION.....	3,900	3,900
	=====	=====
SOUTHWESTERN POWER ADMINISTRATION		
Operation and maintenance		
Operating expenses.....	3,795	3,795
Purchase power and wheeling.....	288	288
Program direction.....	18,388	18,388
Construction.....	6,817	6,817
	-----	-----
Subtotal, Operation and maintenance.....	29,288	29,288
Offsetting collections.....	-288	-288
Use of prior year balances.....	-900	-900
	-----	-----
TOTAL, SOUTHWESTERN POWER ADMINISTRATION.....	28,100	28,100
	=====	=====

Department of Energy (in thousands)

	Budget Request	Conference
WESTERN AREA POWER ADMINISTRATION		
Operation and maintenance		
Construction and rehabilitation.....	23,115	23,115
System operation and maintenance.....	36,104	36,104
Purchase power and wheeling.....	35,500	65,224
Program direction.....	106,644	106,644
Utah mitigation and conservation.....	5,036	5,950
Subtotal, Operation and maintenance.....	206,399	237,037
Offsetting collections.....	-35,500	-65,224
Use of prior year balances.....	-5,983	-5,983
TOTAL, WESTERN AREA POWER ADMINISTRATION.....	164,916	165,830
FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND		
Operation and maintenance.....	2,670	2,670
TOTAL, POWER MARKETING ADMINISTRATIONS.....	199,586	200,500
FEDERAL ENERGY REGULATORY COMMISSION		
Federal energy regulatory commission.....	175,200	175,200
FERC revenues.....	-175,200	-175,200
TOTAL, FEDERAL ENERGY REGULATORY COMMISSION.....	---	---
Defense nuclear waste disposal (rescission).....	-85,000	-75,000
Defense environmental privatization (rescission).....	---	-97,000
GRAND TOTAL, DEPARTMENT OF ENERGY.....	18,064,720	18,341,776

TITLE V

FISCAL YEAR 2001 EMERGENCY APPROPRIATIONS

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

CERRO GRANDE FIRE ACTIVITIES

The conference agreement includes an emergency appropriation of \$203,460,000 as proposed by the Senate for Cerro Grande Fire Activities at the Los Alamos National Laboratory in New Mexico.

The recommendation includes \$46,860,000 for repair and risk mitigation associated with physical damage and destruction; \$25,400,000 for restoring services; \$18,000,000 for emergency response; and \$15,000,000 for resuming laboratory operations.

In addition, funding is provided for the following construction projects: \$6,100,000 for Project 97-D-102, Dual-Axis Radiographic Hydrotest Facility (DAHRT); \$25,000,000 for Project 01-D-701, Site-wide Fire Alarm System Replacement; \$20,000,000 for Project 01-D-702, Emergency Operations Center Replacement and Relocation; \$29,100,000 for Project 01-D-703, TA-54 Waste Management Mitigation; \$10,000,000 for Project 01-D-704, Office Building Replacement Program for Vulnerable Facilities; and \$8,000,000 for Project 01-D-705, Multi-channel Communications System. The Department is directed to include construction project data sheets for these projects in the fiscal year 2002 budget request.

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

The conference agreement includes an emergency appropriation of \$11,000,000 for the Appalachian Regional Commission for the North Fork Hughes River Watershed project in Ritchie County, West Virginia.

TITLE VI

GENERAL PROVISIONS

SEC. 601. The conference agreement includes language directing that none of the funds in this Act or any prior appropriations Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in section 1913 of title 18, United States Code.

SEC. 602. The conference agreement includes language regarding the purchase of American-made equipment and products, and prohibiting contracts with persons falsely labeling products as made in America.

SEC. 603. The conference agreement includes language providing that no funds may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit of the

Central Valley Project until certain conditions are met. The language also provides that the costs of the Kesterson Reservoir Cleanup Program and the San Joaquin Valley Drainage Program shall be classified as reimbursable or non-reimbursable by the Secretary of the Interior and that any future obligation of funds for drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries pursuant to Reclamation law.

SEC. 604. The conference agreement includes language proposed by the Senate limiting the use of funds to propose or issue rules, regulations, decrees, or orders for the purpose of implementing the Kyoto Protocol. The conferees do not concur with the report language proposed by the House.

SEC. 605. The conference agreement includes language extending the Coastal Wetlands Planning, Protection and Restoration Act.

SEC. 606. The conference agreement includes language redesignating the Interstate Sanitation Commission as the Interstate Environmental Commission.

Provisions not adopted.—The conference agreement deletes language proposed by the House amending the Energy Policy and Conservation Act.

The conference agreement deletes language proposed by the House limiting the use of funds to pay salaries of employees of the Department of Energy who refused to take polygraph examinations.

The conference agreement deletes language proposed by the Senate repealing sections of Public Law 106–246.

The conference agreement deletes language proposed by the Senate requiring the Tennessee Valley Authority to complete an environmental impact statement before proceeding with the sale of mineral rights.

The conference agreement deletes language proposed by the Senate requiring a report to Congress on electricity prices. This requirement has been included in report language.

The conference agreement deletes language proposed by the House prohibiting the use of funds to pay an individual who simultaneously holds positions within the National Nuclear Security Administration and the Department of Energy. This matter has been addressed in section 315.

TITLE VII

DEPARTMENT OF THE TREASURY

BUREAU OF THE PUBLIC DEBT

GIFTS TO THE UNITED STATES FOR REDUCTION OF THE PUBLIC DEBT

The conference agreement includes language providing funds to reduce the public debt.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2001 recommended by the Committee of Conference, with comparisons to the fiscal year 2000 amount, the 2001 budget estimates, and the House and Senate bills for 2001 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2000	\$21,647,047
Budget estimates of new (obligational) authority, fiscal year 2001	23,146,559
House bill, fiscal year 2001	22,204,000
Senate bill, fiscal year 2001	23,131,901
Conference agreement, fiscal year 2001	24,088,380
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2000	+2,441,333
Budget estimates of new (obligational) authority, fiscal year 2001	+941,821
House bill, fiscal year 2001	+1,884,380
Senate bill, fiscal year 2001	+956,479

JAMES T. WALSH,
TOM DELAY,
DAVE HOBSON,
JOE KNOLLENBERG,
RODNEY FRELINGHUYSEN,
ANNE M. NORTHUP,
JOHN E. SUNUNU,
VIRGIL GOODE, Jr.,
BILL YOUNG,
ALAN B. MOLLOHAN,
MARCY KAPTUR,
CARRIE P. MEEK,
DAVID E. PRICE,
BUD CRAMER,
DAVE OBEY,

Managers on the Part of the House.

CHRISTOPHER S. BOND,
CONRAD BURNS,
RICHARD C. SHELBY,
LARRY E. CRAIG,
KAY BAILEY HUTCHISON,
TED STEVENS,
PETE V. DOMENICI,
BARBARA A. MIKULSKI,
PATRICK LEAHY,
FRANK R. LAUTENBERG,
TOM HARKIN,
ROBERT C. BYRD,
HARRY REID,
DANIEL K. INOUE,

Managers on the Part of the Senate.